

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 118-36**  
**OFFERED BY MR. BACON OF NEBRASKA**

At the end of subtitle E in title V, insert the following new section:

1 **SEC. 5\_\_\_.** **ENHANCED AUTHORITIES FOR UNIFORMED**  
2 **SERVICES UNIVERSITY OF THE HEALTH**  
3 **SCIENCES.**

4 (a) **ADMINISTRATION OF UNIVERSITY.**—Section  
5 2113 of title 10, United States Code, is amended—

6 (1) in subsection (d), in the third sentence, by  
7 inserting before the period at the end the following:

8 “, governmental entities, and covered entities”;

9 (2) in subsection (g)—

10 (A) in paragraph (1)—

11 (i) by striking “nonprofit entity” each  
12 place it appears and inserting “covered en-  
13 tity”;

14 (ii) by redesignating subparagraphs  
15 (E), (F), and (G) as subparagraphs (F),  
16 (G), and (H), respectively;

17 (iii) by inserting after subparagraph  
18 (D) the following new subparagraph:

1           “(E)(i) to establish privately funded endow-  
2           ments from gifts, devises, and bequests made for  
3           such endowments under paragraph (1)(D) or other  
4           authorities;

5           “(ii) to use, without further specific authoriza-  
6           tion in law, such endowments to support or carry  
7           out medical research, medical consultation, and med-  
8           ical education programs of the University; and

9           “(iii) to establish such accounts as may be nec-  
10          essary for such purposes;”;

11                   (iv) in subparagraph (G) (as redesign-  
12                   nated by subparagraph (A)(ii) of this para-  
13                   graph), by striking “and” at the end; and

14                   (v) in subparagraph (H) (as so redesi-  
15                   gnated), by striking “nonprofit entities”  
16                   and inserting “covered entities”;

17           (B) in paragraph (3), by striking “clause  
18           (E)” and inserting “subparagraph (F)”;

19           (C) in paragraph (4), by striking “clause  
20           (F)” and inserting “subparagraph (G)”;

21           (3) by adding at the end the following new sub-  
22           section:

23           “(h) COVERED ENTITY DEFINED.—In this section,  
24           the term ‘covered entity’ means a nonprofit entity or a  
25           corporation, fund, foundation, educational institution, or

1 similar entity that is organized and operated primarily for  
2 scientific or educational purposes related to health care,  
3 health professions education, or a related field.”.

4 (b) STUDENTS: SELECTION; STATUS; OBLIGATION.—

5 (1) SCHOOL OF MEDICINE MEDICAL DOCTOR  
6 PROGRAM.—Section 2114 of title 10, United States  
7 Code, is amended—

8 (A) in subsection (a), in the second sen-  
9 tence, by striking “Board” and inserting  
10 “Board of Regents”;

11 (B) in subsection (b)(1), in the first sen-  
12 tence, by inserting “and the Secretary of Home-  
13 land Security” before the period at the end; and

14 (C) in subsection (c), by striking “or the  
15 Secretary of Health and Human Services,” and  
16 inserting “, the Secretary of Health and  
17 Human Services, or the Secretary of Homeland  
18 Security,”.

19 (2) RECIPROCAL INSTRUCTIONAL TRAINING  
20 PROGRAMS AND EXERCISES WITH FOREIGN MILI-  
21 TARY MEDICAL SCHOOLS AND COMMANDS.—Section  
22 2114(f) of title 10, United States Code, is amended  
23 to read as follows:

24 “(f) EXCHANGE TRAINING PROGRAMS WITH FOR-  
25 EIGN MILITARY MEDICAL SCHOOLS AND COMMANDS.—

1 (1) The Secretary of Defense may enter into agreements  
2 with foreign military medical schools and foreign military  
3 medical commands for reciprocal instructional training  
4 programs and exercises under which—

5 “(A) students of the University receive specialized  
6 military medical instructional training at the foreign mili-  
7 tary medical school or foreign military medical command;  
8 and

9 “(B) military medical personnel of the country of  
10 such medical school or medical command receive special-  
11 ized military medical instructional training at the Univer-  
12 sity.

13 “(2)(A) The Secretary shall determine the countries  
14 from which persons may be selected to attend instructional  
15 training under this subsection and the number of persons  
16 that may be selected from each country.

17 “(B) The Secretary may establish qualifications for  
18 those persons who will be permitted to attend instructional  
19 training at the University under this subsection. Any such  
20 qualifications established shall be comparable to those re-  
21 quired of United States citizens.

22 “(3)(A) A foreign country from which a student is  
23 permitted to attend instructional training at the Univer-  
24 sity under this subsection shall reimburse the United

1 States for the cost of providing such training unless such  
2 reimbursement is waived by the Secretary.

3 “(B) The Secretary shall prescribe any rates for re-  
4 imbursement under this paragraph.

5 “(C) Reimbursements received under this paragraph  
6 shall be credited to appropriations available for the main-  
7 tenance and operation of the University and its programs  
8 and activities, and shall be available until expended.

9 “(4) Except as the Secretary determines, a person re-  
10 ceiving instructional training at the University under this  
11 subsection shall be subject to the same regulations and  
12 policies governing attendance, discharge, and dismissal  
13 from training as a member of the uniformed services en-  
14 rolled in the University.

15 “(5) The Secretary may prescribe regulations with re-  
16 spect to access to classified information by a person receiv-  
17 ing instruction under this subsection that differ from the  
18 regulations that apply to a member of the uniformed serv-  
19 ices enrolled in the University.”.

20 (3) GRADUATE PROGRAMS.—Section 2114(h) of  
21 title 10, United States Code, is amended—

22 (A) in paragraph (1)—

23 (i) by striking “, in coordination with  
24 the Secretary of Health and Human Serv-

1           ices and the Secretary of Veterans Af-  
2           fairs,”;

3                   (ii) by inserting “(A)” before “The  
4           Secretary”; and

5                   (iii) by adding at the end the fol-  
6           lowing new subparagraph:

7           “(B)(i) The Secretary may permit a covered employee  
8           from another Federal department or agency to enroll and  
9           receive instruction in a postdoctoral or postgraduate cer-  
10          tificate or degree program at the University.

11          “(ii) The Secretary shall coordinate, as the Secretary  
12          considers appropriate, with the heads of Federal agencies  
13          regarding selection procedures, service obligations, and  
14          other requirements for graduate students (other than  
15          medical students) in a postdoctoral, postgraduate, or tech-  
16          nological institute established pursuant to section 2113(e)  
17          of this title.”; and

18                   (B) in paragraph (2)—

19                   (i) in subparagraph (A), by striking  
20                   “the Department of Veterans Affairs, Pub-  
21                   lic Health Service, or Coast Guard (as ap-  
22                   plicable)” and inserting “a Federal depart-  
23                   ment or agency”; and

24                   (ii) in subparagraph (C), by striking  
25                   “Notwithstanding subsections (b) through

1 (e) and subsection (i), the” and inserting  
2 “The”.

3 (c) **MILITARY MEMBERS FROM FOREIGN COUN-**  
4 **TRIES.**—Chapter 104 of title 10, United States Code, is  
5 amended by inserting after section 2114 the following new  
6 section:

7 **“§ 2114a. Eligibility of military members from foreign**  
8 **countries to receive instruction at the**  
9 **University**

10 “(a) **ATTENDANCE AUTHORIZED.**—(1) The Secretary  
11 of Defense may permit military members from foreign  
12 countries—

13 “(A) to enroll as full-time degree candidates  
14 and receive instruction in the medical doctor pro-  
15 gram of the University (in this section referred to as  
16 the ‘Medical Doctor Program’); and

17 “(B) to enroll and receive instruction in  
18 postdoctoral and postgraduate certificate and degree  
19 programs of the University.

20 “(2) Attendance of such students at the University—

21 “(A) shall be subject to institutional capacity  
22 and pursuant to agreements with foreign military  
23 universities and commands; and

1           “(B) may not result in a decrease in the num-  
2           ber of students in the uniformed services enrolled in  
3           the University.

4           “(3) The requirements of section 2114 of this title  
5           shall not apply to students receiving instruction under this  
6           section.

7           “(4) The number of students permitted to receive in-  
8           struction in the Medical Doctor Program under this sec-  
9           tion may not be more than 10 at any one time. Such stu-  
10          dents shall be in addition to the authorized strength of  
11          the Medical Doctor Program.

12          “(b) QUALIFICATIONS AND SELECTION.—The Sec-  
13          retary of Defense—

14                 “(1) may establish entrance qualifications for  
15                 the enrollment of students at the University under  
16                 this section that are comparable to the entrance  
17                 qualifications required of United States citizens;

18                 “(2) may prescribe procedures for the selection  
19                 among individual applicants seeking enrollment at  
20                 the University under this section; and

21                 “(3) shall select students for enrollment at the  
22                 University under this section from nominations sub-  
23                 mitted by foreign military medical commands.

24          “(c) REIMBURSEMENT OF COSTS.—(1) A foreign  
25          country from which a student is permitted to receive in-



1 instruction at the University under this section shall reim-  
2 burse the United States for the cost of providing such in-  
3 struction.

4 “(2) The Secretary of Defense shall prescribe the  
5 rates for reimbursement under this subsection, except that  
6 such rates may not be less than the cost to the United  
7 States of providing such instruction to members of the  
8 uniformed services.

9 “(3) Amounts received by the University for instruc-  
10 tion of students enrolled under this section shall be re-  
11 tained by the University to defray the costs of instruction,  
12 shall be credited to appropriations available for the main-  
13 tenance and operation of the University and its programs  
14 and activities, and shall be available until expended. The  
15 source and the disposition of such funds shall be specifi-  
16 cally identified in records of the University.

17 “(4) The Secretary of Defense may waive, in whole  
18 or in part, the requirement for reimbursement of the cost  
19 of instruction for a military member of a foreign country  
20 under this subsection. In the case of a partial waiver, the  
21 Secretary shall establish the amount waived.

22 “(d) APPLICABILITY OF UNIVERSITY REGULATIONS  
23 AND POLICIES; CLASSIFIED INFORMATION; INELIGIBILITY  
24 FOR APPOINTMENT IN UNIFORMED SERVICES.—(1) Ex-  
25 cept as otherwise determined by the Secretary of Defense,

1 a student receiving instruction under this section shall be  
2 subject to the same regulations and policies governing ad-  
3 mission, attendance, resignation, discharge, dismissal, and  
4 graduation as a member of the uniformed services receiv-  
5 ing instruction at the University.

6 “(2) The Secretary may prescribe regulations with re-  
7 spect to access to classified information by a student re-  
8 ceiving instruction under this section that differ from the  
9 regulations that apply to a member of the uniformed serv-  
10 ices receiving instruction at the University.

11 “(3) A student receiving instruction at the University  
12 under this section shall not be entitled to an appointment  
13 in the uniformed services by reason of completion of a pro-  
14 gram of the University.”

15 (d) NONPROFIT EMPLOYEES.—Chapter 104 of title  
16 10, United States Code, is further amended by inserting  
17 after section 2114a (as inserted by subsection (c) of this  
18 section) the following new section:

19 **“§ 2114b. Eligibility of nonprofit employees who work**  
20 **in organizations relevant to military med-**  
21 **icine to receive instruction at the univer-**  
22 **sity**

23 “(a) ATTENDANCE AUTHORIZED.—(1) The Secretary  
24 of Defense may permit eligible nonprofit employees who

1 work in organizations relevant to military medicine to re-  
2 ceive instruction at the University.

3 “(2) The Secretary may enter into such agreements  
4 as the Secretary considers appropriate to provide for the  
5 enrollment of such students in the University.

6 “(b) AWARD OF CERTIFICATES, DIPLOMAS, AND DE-  
7 GREES.—Upon successful completion of the course of in-  
8 struction in which enrolled, any student enrolled in the  
9 University under this section may be awarded an appro-  
10 priate certificate, diploma, or degree.

11 “(c) ELIGIBLE NONPROFIT EMPLOYEE DEFINED.—  
12 In this section, the term ‘eligible nonprofit employee’  
13 means an individual employed by—

14 “(1) a nonprofit entity that is engaged in a co-  
15 operative enterprise for graduate education with the  
16 University; or

17 “(2) a nonprofit entity whose work is relevant  
18 to a healthcare-related field, including health profes-  
19 sions education, healthcare administration or policy,  
20 public health, and healthcare research.

21 “(d) PERIOD OF ELIGIBILITY.—A nonprofit employee  
22 admitted for instruction at the University under this sec-  
23 tion shall remain eligible for such instruction only so long  
24 as that person remains employed by the same or a similar  
25 nonprofit entity or attains another qualifying status.

1       “(e) ANNUAL DETERMINATION.—Eligible nonprofit  
2 employees may receive instruction at the University during  
3 an academic year only if, before the start of that academic  
4 year, the Secretary of Defense determines that providing  
5 instruction to eligible nonprofit employees under this sec-  
6 tion during that year will further the mission of the Uni-  
7 versity and the national security interests of the United  
8 States.

9       “(f) TERMS AND CONDITIONS.—The Secretary of De-  
10 fense shall ensure that—

11           “(1) the curriculum for the graduate programs  
12 in which eligible nonprofit employees may be en-  
13 rolled as students at the University under this sec-  
14 tion concentrates on the fields described in sub-  
15 section (c)(1)(B);

16           “(2) the course offerings at the University con-  
17 tinue to be determined solely by the needs of the De-  
18 partment of Defense; and

19           “(3) attendance of such students at the Univer-  
20 sity does not result in a decrease in the number of  
21 students in the uniformed services enrolled in the  
22 University.

23       “(g) REIMBURSEMENT OF COSTS.—(1) A nonprofit  
24 entity from which a student is permitted to receive in-  
25 struction at the University under this section shall reim-

1 burse the United States for the cost of providing such in-  
2 struction.

3 “(2) The Secretary of Defense shall prescribe the  
4 rates for reimbursement under this section, except that  
5 such rates may not be less than the cost to the United  
6 States of providing such instruction to members of the  
7 uniformed services.

8 “(3) Amounts received by the University for instruc-  
9 tion of students enrolled under this section shall be re-  
10 tained by the University to defray the costs of instruction,  
11 shall be credited to appropriations available for the main-  
12 tenance and operation of the University and its programs  
13 and activities, and shall be available until expended. The  
14 source and the disposition of such funds shall be specifi-  
15 cally identified in records of the University.

16 “(4) The Secretary of Defense may waive, in whole  
17 or in part, the requirement for reimbursement of the cost  
18 of instruction for an eligible nonprofit employee under this  
19 subsection. In the case of a partial waiver, the Secretary  
20 shall establish the amount waived.

21 “(h) APPLICABILITY OF UNIVERSITY REGULATIONS  
22 AND POLICIES; CLASSIFIED INFORMATION; INELIGIBILITY  
23 FOR APPOINTMENT IN UNIFORMED SERVICES.—(1) Ex-  
24 cept as determined by the Secretary of Defense, a student  
25 receiving instruction under this section shall be subject to

1 the same regulations governing admission, attendance,  
2 resignation, discharge, dismissal, and graduation as a  
3 member of the uniformed services receiving instruction at  
4 the University.

5 “(2) The Secretary may prescribe regulations with re-  
6 spect to access to classified information by a student re-  
7 ceiving instruction under this section that differ from the  
8 regulations that apply to a member of the uniformed serv-  
9 ices receiving instruction at the University.

10 “(3) A student receiving instruction at the University  
11 under this section shall not be entitled to an appointment  
12 in the uniformed services by reason of completion of a pro-  
13 gram of the University.”.

