

Subsec. (b). Pub. L. 96-88, §508(j)(2), empowered the Secretary of Education, in consultation with the Secretary of Defense, to prescribe election qualifications and procedures in regard to advisory committees rather than vesting such power in the Secretary of Defense exclusively.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-88, effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96-88, set out as an Effective Date note under section 3401 of this title.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 922 of this title.

§ 929. Advisory Council on Dependents' Education

(a) Establishment; membership; Director

(1) There is established in the Department of Defense an Advisory Council on Dependents' Education (hereinafter in this section referred to as the "Council"). The Council shall be composed of—

(A) the Secretary of Defense and the Secretary of Education, or their respective designees;

(B) 12 individuals appointed jointly by the Secretary of Defense and the Secretary of Education who shall be individuals who have demonstrated an interest in the field of primary or secondary education and who shall include representatives of professional employee organizations, school administrators, and parents of students enrolled in the defense dependents' education system, and one student enrolled in such system; and

(C) a representative of the Secretary of Defense and of the Secretary of Education.

(2) Individuals appointed to the Council from professional employee organizations shall be individuals designated by those organizations.

(3) The Secretary of Defense, or the Secretary's designee, and the Secretary of Education, or the Secretary's designee, shall serve as cochairmen of the Council.

(4) The Director shall be the Executive Secretary of the Council.

(b) Terms of office of members

The term of office of each member of the Council appointed under subsection (a)(2) of this section shall be three years, except that—

(1) of the members first appointed under such paragraph, four shall serve for a term of one year, four shall serve for a term of two years, and four shall serve for a term of three years, as determined by the Secretary of Defense and the Secretary of Education at the time of their appointment, and

(2) any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

No member appointed under subsection (a)(2) of this section shall serve more than two full terms on the Council.

(c) Meetings; functions

The Council shall meet at least two times each year. The functions of the Council shall be to—

(1) recommend to the Director general policies for operation of the defense dependents' education system with respect to curriculum selection, administration, and operation of the system,

(2) provide information to the Director from other Federal agencies concerned with primary and secondary education with respect to education programs and practices which such agencies have found to be effective and which should be considered for inclusion in the defense dependents' education system,

(3) advise the Director on the design of the study and the selection of the contractor referred to in section 930(a)(2) of this title, and

(4) perform such other tasks as may be required by the Secretary of Defense.

(d) Compensation, etc., of members

Members of the Council who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Council or otherwise engaged in the business of the Council, be entitled to receive compensation at the daily equivalent of the rate specified at the time of such service for level IV of the Executive Schedule under section 5315 of title 5, including traveltime, and while so serving on the business of the Council away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 for persons employed intermittently in the Government service.

(e) Termination

The Council shall continue in existence until terminated by law.

(Pub. L. 95-561, title XIV, §1411, Nov. 1, 1978, 92 Stat. 2370; Pub. L. 96-88, title V, §508(j)(3)-(8), Oct. 17, 1979, 93 Stat. 693, 694; Pub. L. 99-145, title XII, §1204(b)(3)-(5), Nov. 8, 1985, 99 Stat. 720, 721; Pub. L. 106-65, div. A, title III, §354(4), Oct. 5, 1999, 113 Stat. 573.)

AMENDMENTS

1999—Subsec. (d). Pub. L. 106-65 substituted "level IV of the Executive Schedule under section 5315 of title 5" for "grade GS-18 in section 5332 of title 5".

1985—Subsec. (a). Pub. L. 99-145, §1204(b)(3)(A), amended subsec. (a) generally. Prior to amendment subsec. (a) read as follows: "There is established in the Department of Education an Advisory Council on Dependents' Education (hereinafter in this section referred to as the 'Council'). The Council shall be composed of—

"(1) the Assistant Secretary of Defense for Manpower, Reserve Affairs, and Logistics, and the Administrator of Education for Overseas Dependents of such department, who shall be co-chairman of the Council;

"(2) twelve individuals appointed by the Secretary of Education, who shall be individuals who have dem-

onstrated an interest in the fields of primary or secondary education and who shall include representatives of professional employee organizations, school administrators, parents of dependents enrolled in the dependents' education system, and one student enrolled in such system;

“(3) a representative of the Secretary of Education and of the Secretary of Defense.

The Director shall be the Executive Secretary of the Council.”

Subsec. (b)(1). Pub. L. 99-145, § 1204(b)(4), inserted reference to Secretary of Defense.

Subsec. (c). Pub. L. 99-145, § 1204(b)(5)(A), substituted “two times each year” for “four times each year” in provisions before par. (1).

Subsec. (c)(2), (3). Pub. L. 99-145, § 1204(b)(5)(B), (C), redesignated par. (3) as (2), and struck out par. (2) which required the Council to make recommendations to the Director and to the Secretary of Education on the orderly transfer of the functions under this chapter to the Secretary and Department of Education.

Subsec. (c)(4), (5). Pub. L. 99-145, § 1204(b)(5)(C), (D), redesignated par. (5) as (4), and substituted Secretary of Defense for Secretary of Education. Former par. (4) redesignated (3).

1979—Subsec. (a). Pub. L. 96-88, § 508(j)(3), substituted “Department of Education” for “Department of Defense” in text preceding par. (1).

Subsec. (a)(1). Pub. L. 96-88, § 508(j)(4), provided that the Administrator of Education for Overseas Dependents of the Department of Education was to be a member of the council and its co-chairman.

Subsec. (a)(2). Pub. L. 96-88, § 508(j)(5), substituted “Secretary of Education” for “Assistant Secretary”, “demonstrated an interest” for “versed by training or experience”, “parents of dependents” for “sponsors of students”, and “dependents’ education system” for “defense dependents’ education system”.

Subsec. (a)(3). Pub. L. 96-88, § 508(j)(5), required membership on the Council for representatives of the Secretaries of Education and Defense and struck out requirements for representation of the Commissioner of Education, Director of the National Institute of Education, Director of the Educational Directorate of the National Science Foundation, Chairman of the National Endowment for the Arts, Chairman of the National Endowment for the Humanities, and the Secretaries of the military departments.

Subsec. (b)(1). Pub. L. 96-88, § 508(j)(6), substituted “Secretary of Education” for “Assistant Secretary”.

Subsec. (c)(2) to (5). Pub. L. 96-88, § 508(j)(7), (8), added par. (2), redesignated former pars. (2), (3), and (4) as (3), (4), and (5), respectively, and in par. (5), as so redesignated, substituted “Secretary of Education” for “Assistant Secretary”.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-88 effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96-88, set out as an Effective Date note under section 3401 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 930 of this title.

§ 930. Study of defense dependents’ education system

(a) Scope; conduct and report to Director by contractor

(1) The Director may from time to time, but not more frequently than once a year, provide for a comprehensive study of the entire defense dependents’ education system. Any such study shall include a detailed analysis of the education programs and the facilities of the system.

(2) Any study under paragraph (1) shall be conducted by a contractor selected by the Director

after an open competition. After conducting such study, the contractor shall submit a report to the Director describing the results of the study and giving its assessment of the defense dependents’ education system.

(b) Consultation requirements respecting study specifications and contractor selection

In designing the specifications for any study to be conducted pursuant to subsection (a)(1) of this section, and in selecting a contractor to conduct such study under subsection (a)(2) of this section, the Director shall consult with the Advisory Council on Dependents’ Education established under section 929 of this title.

(c) Reporting requirements of Director

The Director shall submit to the Congress any report submitted to him under subsection (a)(2) of this section describing the results of a study carried out pursuant to subsection (a)(1) of this section, together with the recommendations, if any, of the contractor for legislation or any increase in funding needed to improve the defense dependents’ education system. Notwithstanding any law, rule, or regulation to the contrary, such report shall not be submitted to any review before its transmittal to the Congress, but the Secretary of Defense shall, at the time of the transmittal of such report, submit to the Congress such recommendations as he may have with respect to legislation or any increase in funding needed to improve the defense dependents’ education system.

(Pub. L. 95-561, title XIV, § 1412, Nov. 1, 1978, 92 Stat. 2371; Pub. L. 96-46, § 2(a)(8), Aug. 6, 1979, 93 Stat. 340; Pub. L. 106-65, div. A, title III, § 354(5), Oct. 5, 1999, 113 Stat. 573.)

AMENDMENTS

1999—Subsec. (a)(1). Pub. L. 106-65, § 354(5)(A), substituted “The Director may from time to time, but not more frequently than once a year, provide for” for “As soon as practicable after November 1, 1978, the Director shall provide for” and “system. Any such study” for “system, which”.

Subsec. (a)(2). Pub. L. 106-65, § 354(5)(B), substituted “Any study under paragraph (1)” for “The study required by this subsection” and struck out “not later than two years after July 1, 1979,” after “shall submit a report to the Director”.

Subsec. (b). Pub. L. 106-65, § 354(5)(C), substituted “any study” for “the study”.

Subsec. (c). Pub. L. 106-65, § 354(5)(D), substituted “any report” for “not later than one year after July 1, 1979, the report” and “a study” for “the study”.

Subsec. (d). Pub. L. 106-65, § 354(5)(E), struck out subsec. (d) which read as follows: “The Director may provide for additional studies of the defense dependents’ education system to be conducted in accordance with the provisions of this section, but such studies shall not be conducted more frequently than once a year. A report of each study shall be submitted to the Congress in accordance with subsection (c) of this section, and the second sentence of such subsection shall apply with respect to the transmission of each such report.”

1979—Subsec. (a)(2). Pub. L. 96-46 substituted “two years after July 1, 1979” for “one year after July 1, 1979”.

EFFECTIVE DATE OF 1979 AMENDMENT

Section 8 of Pub. L. 96-46 provided that: “The amendments made by this Act [enacting section 3164 of this title, amending this section, sections 240, 241-1, 1211a, 1221-3, 1221h, 1226c, 1232g, 2308, 2310, 2603, 2721, 2733 to