SEC.___. ENHANCEMENT OF DEPARTMENT OF THE NAVY CAPABILITIES TO MANAGE CIVILIAN FACULTY OF THE NAVAL WAR COLLEGE AND THE MARINE CORPS UNIVERSITY.

(a) COMPENSATION OF FACULTY MEMBERS.—Section 7478 of title 10, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

"(c) WORK SCHEDULE.—Notwithstanding section 6101 of title 5, the Secretary of the Navy may prescribe for persons employed under this section the work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

"(d) AGENCY RIGHTS.—Notwithstanding chapter 71 of title 5, the authority conferred by this section shall be exercised at the sole and exclusive discretion of the Secretary of the Navy.".

[Please note: The "Changes to Existing Law" section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would enact one change to the existing statute. The proposal would authorize the Secretary of the Navy the same flexibility in prescribing work schedules for civilian faculty at the Naval War College and the Marine Corps University as now exists for the United States Naval Academy. The proposed subsection (c) replicates exactly the language found in subsection (c) of section 6952 of title 10, United States Code, referring to professors, instructors and lecturers at the Naval Academy. The added flexibility will enable the Secretary, or the Secretary's delegate, to accommodate the highly cyclical academic workload at the Naval War College and the Marine Corps University in the same manner as it may now be accommodated at the Naval Academy. The variable teaching requirements of the academic year and the irregular demands of scholarly research are not easily addressed by the timekeeping model applicable to the General Schedule workforce. The proposal would enable the Secretary to apply timekeeping procedures at the Naval War College and the Marine Corps University that will permit civilian faculty members the latitude to accomplish their academic mission while

properly accounting for their public duties. The goal of this proposal is to make the civilian faculty work experience as similar to that at a civilian academic institution as possible. Faculty at civilian institutions receive an annual salary. They are required to be present for scheduled classroom instruction and office hours with students. They are free to accomplish curriculum development, assigned research and personal research scholarship without reference to a tour of duty schedule. Alternative work schedules authorized by the Office of Personnel Management under the authority of section 6133 of title 5, United States Code, do not permit this flexibility because they all require a specific tour of duty. This proposal would give the presidents of the Naval War College and the Marine Corps University the same authority to manage civilian faculty schedules as now available to the Superintendent of the United States Naval Academy. The Naval War College would use this authority to place civilian faculty on a straight-salary pay system. Civilian faculty would report leave to a timekeeper. Supervisors would certify that faculty members were in good standing and entitled to pay for the current pay period.

This proposal would affect approximately 275 civilian faculty members at the Naval War College and the Marine Corps University.

Budget Implications: This proposal has no budgetary impact. This authority only applies to civilian faculty at the Naval War College and the Marine Corps University. It is not applicable to the other services. As the proposal only authorizes flexibility in the work schedule, without any change in full-time equivalents, no additional budget authority is required, beyond that which is already funded within the existing budget. This is funded within the FY 2019 President's Budget request. Work schedules implemented under this proposal would not authorize overtime or compensatory time.

RESOURCE REQUIREMENTS ($ MILLIONS)									
	FY 2019	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Total NWC	38.435	39.165	39.987	40.827	41.684	Operations and Maintenance, Navy	03	3B3K	0804751N 0804738N
MCU	9.187	9.316	9.446	9.579	9.713	Operations and Maintenance, Marine Corps	03 04	3B3D 3B4D 4A4G	0804751M 0804772M 0901212M

Changes to Existing Law: This proposal would make the following changes to section 7478 of title 10, United States Code.

§7478. Naval War College and Marine Corps University: civilian faculty members

(a) AUTHORITY OF SECRETARY.—The Secretary of the Navy may employ as many civilians as professors, instructors, and lecturers at a school of the Naval War College or of the Marine Corps University as the Secretary considers necessary.

(b) COMPENSATION OF FACULTY MEMBERS.—The compensation of persons employed under this section shall be as prescribed by the Secretary.

(c) WORK SCHEDULE.- Notwithstanding section 6101 of title 5, the Secretary of the Navy may prescribe for persons employed under this section the work schedule, including hours of work and tours of duty, set forth with such specificity and other characteristics as the Secretary determines appropriate.

(d) Agency Rights.- Notwithstanding chapter 71 of title 5, the authority conferred by this section shall be exercised at the sole and exclusive discretion of the Secretary of the Navy.

(~~c~~e) APPLICATION TO CERTAIN FACULTY MEMBERS.—This section shall not apply with respect to professors, instructors, and lecturers employed at a school of the Naval War College or of the Marine Corps University if the duration of the principal course of instruction offered at the school or college involved is less than 10 months.