

(Pub. L. 107-372, title II, §253, Dec. 19, 2002, 116 Stat. 3091.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 858 of this title prior to repeal by Pub. L. 107-372.

SUBCHAPTER V—RIGHTS AND BENEFITS

**§ 3071. Applicability of certain provisions of title 10**

**(a) Provisions made applicable to the corps**

The rules of law that apply to the Armed Forces under the following provisions of title 10, as those provisions are in effect from time to time, apply also to the commissioned officer corps of the Administration:

- (1) Chapter 40, relating to leave.
- (2) Section 533(b), relating to constructive service.
- (3) Section 716, relating to transfers between the armed forces and to and from National Oceanic and Atmospheric Administration.
- (4) Section 1035, relating to deposits of savings.
- (5) Section 1036, relating to transportation and travel allowances for escorts for dependents of members.
- (6) Section 1052, relating to reimbursement for adoption expenses.
- (7) Section 1174a, relating to special separation benefits (except that benefits under subsection (b)(2)(B) of such section are subject to the availability of appropriations for such purpose and are provided at the discretion of the Secretary of Commerce).
- (8) Chapter 61, relating to retirement or separation for physical disability.
- (9) Chapter 69, relating to retired grade, except sections 1370, 1375, and 1376.
- (10) Chapter 71, relating to computation of retired pay.
- (11) Chapter 73, relating to annuities based on retired or retainer pay.
- (12) Subchapter II of chapter 75, relating to death benefits.
- (13) Section 2634, relating to transportation of motor vehicles for members on permanent change of station.
- (14) Sections 2731 and 2735, relating to property loss incident to service.
- (15) Section 2771, relating to final settlement of accounts of deceased members.
- (16) Such other provisions of subtitle A of that title as may be adopted for applicability to the commissioned officer corps of the National Oceanic and Atmospheric Administration by any other provision of law.

**(b) References**

The authority vested by title 10 in the “military departments”, “the Secretary concerned”, or “the Secretary of Defense” with respect to the provisions of law referred to in subsection (a) of this section shall be exercised, with respect to the commissioned officer corps of the Administration, by the Secretary of Commerce or the Secretary’s designee.

(Pub. L. 107-372, title II, §261, Dec. 19, 2002, 116 Stat. 3091.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 857a of this title prior to repeal by Pub. L. 107-372.

**§ 3072. Eligibility for veterans benefits and other rights, privileges, immunities, and benefits under certain provisions of law**

**(a) In general**

Active service of officers of the Administration shall be deemed to be active military service for the purposes of all rights, privileges, immunities, and benefits under the following:

- (1) Laws administered by the Secretary of Veterans Affairs.
- (2) The Servicemembers Civil Relief Act [50 U.S.C. App. 501 et seq.].
- (3) Section 410 of title 42, as in effect before September 1, 1950.

**(b) Exercise of authority**

In the administration of the laws and regulations referred to in subsection (a) of this section, with respect to the Administration, the authority vested in the Secretary of Defense and the Secretaries of the military departments and their respective departments shall be exercised by the Secretary of Commerce.

(Pub. L. 107-372, title II, §262, Dec. 19, 2002, 116 Stat. 3092; Pub. L. 108-189, §2(g), Dec. 19, 2003, 117 Stat. 2866.)

REFERENCES IN TEXT

The Servicemembers Civil Relief Act, referred to in subsec. (a)(2), is act Oct. 17, 1940, ch. 888, 54 Stat. 1178, as amended, which is classified to section 501 et seq. of Title 50, Appendix, War and National Defense. For complete classification of this Act to the Code, see section 501 of Title 50, Appendix, and Tables.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 857 and 857-3(a) of this title prior to repeal by Pub. L. 107-372.

AMENDMENTS

2003—Subsec. (a)(2). Pub. L. 108-189 amended par. (2) generally substituting “The Servicemembers Civil Relief Act” for “The Soldiers’ and Sailors’ Civil Relief Act of 1940 (50 App. U.S.C. 501 et seq.)”.

**§ 3073. Medical and dental care**

The Secretary may provide medical and dental care, including care in private facilities, for personnel of the Administration entitled to that care by law or regulation.

(Pub. L. 107-372, title II, §263, Dec. 19, 2002, 116 Stat. 3093.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 857-3(b) of this title prior to repeal by Pub. L. 107-372.

**§ 3074. Commissary privileges**

**(a) Extension of privilege**

Commissioned officers, ships’ officers, and members of crews of vessels of the Administration shall be permitted to purchase commissary and quartermaster supplies as far as available from the Armed Forces at the prices charged of-