

Fish and Wildlife Service), \$2,500,000 for each of fiscal years 2008 through 2021;

(C) to the Under Secretary for Oceans and Atmosphere of the Department of Commerce, \$2,500,000 for each of fiscal years 2008 through 2021;

(D) to the Administrator of the Environmental Protection Agency, \$2,500,000 for each of fiscal years 2008 through 2021; and

(E) to the Secretary of Agriculture, \$2,500,000 for each of fiscal years 2008 through 2021.

Such sums shall remain available until expended.

**(2) Monitoring**

There is authorized to be appropriated to the Under Secretary for Oceans and Atmosphere of the Department of Commerce for the acquisition, maintenance, and management of monitoring data on restoration projects carried out under this chapter and other information compiled under section 2906 of this title, \$1,500,000 for each of fiscal years 2001 through 2021. Such sums shall remain available until expended.

**(b) Set-aside for administrative expenses of the Council**

Not to exceed 3 percent of the amounts appropriated for a fiscal year under subsection (a)(1) or \$1,500,000, whichever is greater, may be used by the Secretary for administration and operation of the Council.

(Pub. L. 106-457, title I, §109, Nov. 7, 2000, 114 Stat. 1965; Pub. L. 110-114, title V, §5017(g), Nov. 8, 2007, 121 Stat. 1198; Pub. L. 114-322, title IV, §5013(b), Dec. 16, 2016, 130 Stat. 1903.)

**Editorial Notes**

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-322 substituted “through 2021” for “through 2012” wherever appearing.

2007—Subsec. (a)(1). Pub. L. 110-114, § 5017(g)(1), struck out “to the Secretary” after “appropriated” in introductory provisions, added subpars. (A) to (E), and struck out former subpars. (A) to (D) which read as follows:

- “(A) \$40,000,000 for fiscal year 2001;
- “(B) \$50,000,000 for each of fiscal years 2002 and 2003;
- “(C) \$60,000,000 for fiscal year 2004; and
- “(D) \$75,000,000 for fiscal year 2005.”

Subsec. (a)(2). Pub. L. 110-114, § 5017(g)(2), inserted “and other information compiled under section 2906 of this title” after “this chapter” and substituted “2012” for “2005”.

**§ 2909. General provisions**

**(a) Agency consultation and coordination**

In carrying out this chapter, the Secretary shall, as necessary, consult with, cooperate with, and coordinate its activities with the activities of other Federal departments and agencies.

**(b) Cooperative agreements; memoranda of understanding**

In carrying out this chapter, the Secretary may—

- (1) enter into cooperative agreements or contracts with Federal, State, and local government agencies, nongovernmental organizations, and other entities; and

- (2) execute such memoranda of understanding as are necessary to reflect the agreements.

**(c) Federal agency facilities and personnel**

Federal agencies may cooperate in carrying out scientific and other programs necessary to carry out this chapter, and may provide facilities and personnel, for the purpose of assisting the Council in carrying out its duties under this chapter.

(Pub. L. 106-457, title I, §110, Nov. 7, 2000, 114 Stat. 1966; Pub. L. 110-114, title V, §5017(h), Nov. 8, 2007, 121 Stat. 1199.)

**Editorial Notes**

AMENDMENTS

2007—Subsec. (b)(1). Pub. L. 110-114, §5017(h)(1), inserted “or contracts” after “agreements” and “, nongovernmental organizations,” after “agencies”.

Subsecs. (d), (e). Pub. L. 110-114, §5017(h)(2), struck out subsecs. (d) and (e) which related to identification and mapping of dredged material disposal sites and study of bioremediation technology, respectively.

**CHAPTER 43—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS**

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SUBCHAPTER I—GENERAL PROVISIONS

**§ 3001. Commissioned officer corps**

There shall be in the National Oceanic and Atmospheric Administration a commissioned officer corps.

(Pub. L. 107-372, title II, §211, Dec. 19, 2002, 116 Stat. 3082.)

**Statutory Notes and Related Subsidiaries**

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116-259, §1(a), Dec. 23, 2020, 134 Stat. 1153, provided that: “This Act [see Tables for classification] may be cited as the ‘National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2020.’”

SHORT TITLE

Pub. L. 107-372, title II, §201, Dec. 19, 2002, 116 Stat. 3082, provided that: “This title [enacting this chapter, amending section 1406 of Title 10, Armed Services, and section 2396 of Title 22, Foreign Relations and Intercourse, repealing sections 853a to 853l, 853o, 853p to 853r, 853t to 854, 855, 856 to 857-5, 858, 864, and 874 of this title, amending provisions set out as a note under section 1293 of Title 10, and repealing provisions set out as notes under sections 853a and 857-1 of this title and section 101 of Title 38, Veterans’ Benefits] may be cited as the ‘National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002.’”

**§ 3002. Definitions**

**(a) Applicability of definitions in title 10**

Except as provided in subsection (b), the definitions provided in section 101 of title 10 apply to the provisions of this chapter.

**(b) Additional definitions**

In this chapter:

**(1) Active duty**

The term “active duty” means full-time duty in the active service of a uniformed service.

**(2) Grade**

The term “grade” means a step or degree, in a graduated scale of office or rank, that is established and designated as a grade by law or regulation.

**(3) Officer**

The term “officer” means an officer of the commissioned corps.

**(4) Officer candidate**

The term “officer candidate” means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 3021(a)(2)(A) of this title.

**(5) Flag officer**

The term “flag officer” means an officer serving in, or having the grade of, vice admiral, rear admiral, or rear admiral (lower half).

**(6) Secretary**

The term “Secretary” means the Secretary of Commerce.

**(7) Administration**

The term “Administration” means the National Oceanic and Atmospheric Administration.

(Pub. L. 107-372, title II, §212, Dec. 19, 2002, 116 Stat. 3082; Pub. L. 116-259, title III, §305(c), Dec. 23, 2020, 134 Stat. 1173.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title II of Pub. L. 107-372, Dec. 19, 2002, 116 Stat. 3082, which is classified principally to this chapter. For complete classification of this title to the Code, see Short Title note set out under section 3001 of this title and Tables.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 857-1 of this title prior to repeal by Pub. L. 107-372.

AMENDMENTS

2020—Subsec. (b)(4) to (7). Pub. L. 116-259 added par. (4) and redesignated former pars. (4) to (6) as (5) to (7), respectively.

**§ 3003. Authorized number on the active list**

**(a) Annual strength on active list**

The annual strength of the commissioned corps in officers on the lineal list of active duty officers of the corps shall be prescribed by law.

**(b) Lineal list**

The Secretary shall maintain a list, known as the “lineal list”, of officers on active duty. Officers shall be carried on the lineal list by grade and, within grade, by seniority in grade.

(Pub. L. 107-372, title II, §213, Dec. 19, 2002, 116 Stat. 3083.)