

(2) accepting compensation associated with such employment, office, or position.

(b) **APPROVAL REQUIRED.**—The consent provided in subsection (a) for a retired member of the uniformed services to accept employment or hold an office or position shall apply to a retired member only if the Secretary concerned and the Secretary of State jointly approve the employment or the holding of such office or position.

(c) **DETERMINATION OF NEWLY DEMOCRATIC NATIONS.**—The Secretary concerned and the Secretary of State shall jointly determine whether a nation is a newly democratic nation for the purposes of this section.

[(d) Repealed. Pub. L. 108-136, div. A, title X, §1031(a)(9), Nov. 24, 2003, 117 Stat. 1597.]

(e) **CONTINUED ENTITLEMENT TO RETIRED PAY AND BENEFITS.**—The eligibility of a retired member to receive retired or retainer pay and other benefits arising from the retired member's status as a retired member of the uniformed services, and the eligibility of dependents of such retired member to receive benefits on the basis of such retired member's status as a retired member of the uniformed services, may not be terminated by reason of employment or holding of an office or position consented to in subsection (a).

(f) **RETIRED MEMBER DEFINED.**—In this section, the term “retired member” means a member or former member of the uniformed services who is entitled to receive retired or retainer pay.

(g) **CIVIL EMPLOYMENT BY FOREIGN GOVERNMENTS.**—For a provision of law providing the consent of Congress to civil employment by foreign governments, see section 908 of title 37.

(Added Pub. L. 103-160, div. A, title XIV, §1433(b)(1), Nov. 30, 1993, 107 Stat. 1834, §1058; renumbered §1060, Pub. L. 103-337, div. A, title X, §1070(a)(6)(A), Oct. 5, 1994, 108 Stat. 2855; amended Pub. L. 104-106, div. A, title XV, §1502(a)(13), Feb. 10, 1996, 110 Stat. 503; Pub. L. 106-65, div. A, title X, §1067(1), Oct. 5, 1999, 113 Stat. 774; Pub. L. 108-136, div. A, title X, §1031(a)(9), Nov. 24, 2003, 117 Stat. 1597.)

Editorial Notes

AMENDMENTS

2003—Subsec. (d). Pub. L. 108-136 struck out heading and text of subsec. (d). Text read as follows: “The Secretary concerned and the Secretary of State shall notify the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on International Relations of the House of Representatives of each approval under subsection (b) and each determination under subsection (c).”

1999—Subsec. (d). Pub. L. 106-65 substituted “and the Committee on Armed Services” for “and the Committee on National Security”.

1996—Subsec. (d). Pub. L. 104-106 substituted “Committee on National Security and the Committee on International Relations” for “Committee on Armed Services and the Committee on Foreign Affairs”.

1994—Pub. L. 103-337 renumbered section 1058 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 103-160, div. A, title XIV, §1433(d), Nov. 30, 1993, 107 Stat. 1835, provided that this section was to

take effect as of Jan. 1, 1993, prior to repeal by Pub. L. 103-236, title I, §182(b), Apr. 30, 1994, 108 Stat. 418.

RESTORATION OF WITHHELD BENEFITS

Pub. L. 103-236, title I, §182(a), Apr. 30, 1994, 108 Stat. 418, as amended by Pub. L. 103-337, div. A, title X, §1070(d)(7), Oct. 5, 1994, 108 Stat. 2858; Pub. L. 103-415, §1(j), Oct. 25, 1994, 108 Stat. 4301, provided that: “With respect to any person for which the Secretary of State and the Secretary concerned within the Department of Defense have approved the employment or the holding of a position pursuant to the provisions of section 1060 of title 10, United States Code, before April 30, 1994, the consents, approvals and determinations under that section shall be deemed to be effective as of January 1, 1993.”

CONGRESSIONAL FINDINGS

Pub. L. 103-160, div. A, title XIV, §1433(a), Nov. 30, 1993, 107 Stat. 1833, provided that: “The Congress makes the following findings:

“(1) It is in the national security interest of the United States to promote democracy throughout the world.

“(2) The armed forces of newly democratic nations often lack the democratic traditions that are a hallmark of the Armed Forces of the United States.

“(3) The understanding of military roles and missions in a democracy is essential for the development and preservation of democratic forms of government.

“(4) The service of retired members of the Armed Forces of the United States in the armed forces of newly democratic nations could lead to a better understanding of military roles and missions in a democracy.”

§ 1060a. Special supplemental food program

(a) **PROGRAM REQUIRED.**—The Secretary of Defense shall carry out a program to provide supplemental foods and nutrition education to members of the armed forces on duty at stations outside the United States (and its territories and possessions) and to eligible civilians serving with, employed by, or accompanying the armed forces outside the United States (and its territories and possessions).

(b) **FUNDING MECHANISM.**—The Secretary of Defense shall use funds available for the Department of Defense to carry out the program under subsection (a).

(c) **PROGRAM ADMINISTRATION.**—(1)(A) The Secretary of Defense shall administer the program referred to in subsection (a) and, except as provided in subparagraph (B), shall determine eligibility for program benefits under the criterion published by the Secretary of Agriculture under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786). In determining eligibility for benefits, a person already certified for participation in the special supplemental nutrition program for women, infants, and children under such section 17 shall be considered eligible for the duration of the certification period under that special supplemental nutrition program.

(B) In determining eligibility for families of individuals participating in the program under this section, the Secretary of Defense shall, to the extent practicable, use the criterion described in subparagraph (A), including nutritional risk standards. In the application of such criterion, the Secretary shall exclude from income any basic allowance for housing as permitted under section 17(d)(2)(B) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)).

(2) The program benefits provided under the program shall be similar to benefits provided by State and local agencies in the United States, particularly with respect to nutrition education.

(3) The Secretary of Agriculture shall provide technical assistance to the Secretary of Defense, if so requested by the Secretary of Defense, for the purpose of carrying out the program under subsection (a).

(d) DEPARTURE FROM STANDARDS.—The Secretary of Defense may authorize departures from standards prescribed by the Secretary of Agriculture regarding the supplemental foods to be made available in the program when local conditions preclude strict compliance or when such compliance is highly impracticable.

(e) REBATE AGREEMENTS WITH FOOD PRODUCERS.—(1) In the administration of the program under this section, the Secretary of Defense may enter into a contract with a producer of a particular brand of food that provides for—

(A) the Secretary of Defense to procure that particular brand of food, exclusive of other brands of the same or similar food, for the purpose of providing the food in commissary stores or Navy Exchange Markets of the Department of Defense as a supplemental food under the program; and

(B) the producer to rebate to the Secretary amounts equal to agreed portions of the amounts paid by the Secretary for the procurement of that particular brand of food for the program.

(2) The Secretary of Defense shall use competitive procedures under chapter 137¹ of this title to enter into contracts under this subsection.

(3) The period covered by a contract entered into under this subsection, including any period of extension of the contract by modification of the contract, exercise of an option, or other cause, may not exceed three years. No such contract may be extended by a modification of the contract, by exercise of an option, or by any other means. Nothing in this paragraph prohibits a contractor under a contract entered into under this subsection for any year from submitting an offer for, and being awarded, a contract that is to be entered into under this subsection for a successive year.

(4) Amounts rebated under a contract entered into under paragraph (1) shall be credited to the appropriation available for carrying out the program under this section in the fiscal year in which rebated, shall be merged with the other sums in that appropriation, and shall be available for the program for the same period as the other sums in the appropriation.

(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to administer the program authorized by this section.

(g) DEFINITIONS.—In this section:

(1) The term “eligible civilian” means—

(A) a dependent of a member of the armed forces residing with the member outside the United States;

(B) an employee of a military department who is a national of the United States and is residing outside the United States in con-

nection with such individual's employment or a dependent of such individual residing with the employee outside the United States; or

(C) an employee of a Department of Defense contractor who is a national of the United States and is residing outside the United States in connection with such individual's employment or a dependent of such individual residing with the employee outside the United States.

(2) The term “national of the United States” means—

(A) a citizen of the United States; or

(B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States, as determined in accordance with the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(3) The term “dependent” has the meaning given such term in subparagraphs (A), (D), (E), and (I) of section 1072(2) of this title.

(4) The terms “nutrition education” and “supplemental foods” have the meanings given the terms in section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)).

(Added Pub. L. 103-337, div. A, title VI, § 653(a), Oct. 5, 1994, 108 Stat. 2794; amended Pub. L. 104-106, div. A, title XV, § 1503(a)(9), Feb. 10, 1996, 110 Stat. 511; Pub. L. 105-85, div. A, title VI, § 655(b)(1), Nov. 18, 1997, 111 Stat. 1805; Pub. L. 106-65, div. A, title VI, § 674(a)-(d), Oct. 5, 1999, 113 Stat. 675; Pub. L. 106-398, § 1 [[div. A], title VI, § 662], Oct. 30, 2000, 114 Stat. 1654, 1654A-167; Pub. L. 107-107, div. A, title III, § 334, Dec. 28, 2001, 115 Stat. 1059; Pub. L. 107-314, div. A, title III, § 324, Dec. 2, 2002, 116 Stat. 2511.)

Editorial Notes

REFERENCES IN TEXT

Chapter 137 of this title, referred to in subsec. (e)(2), was repealed by Pub. L. 116-283, div. A, title XVIII, § 1881(a), Jan. 1, 2021, 134 Stat. 4293, effective Jan. 1, 2022, in conjunction with the transfer and reorganization of acquisition provisions in this title by Pub. L. 116-283, div. A, title XVIII, Jan. 1, 2022, 134 Stat. 4149. For definition of “chapter 137 legacy provisions”, see section 3016 of this title.

The Immigration and Nationality Act, referred to in subsec. (g)(2)(B), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§ 1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

AMENDMENTS

2002—Subsec. (e)(1)(A). Pub. L. 107-314, § 324(a), inserted “or Navy Exchange Markets” after “commissary stores”.

Subsec. (e)(3). Pub. L. 107-314, § 324(b), in first sentence, substituted “subsection, including any period of extension of the contract by modification of the contract, exercise of an option, or other cause, may not exceed three years” for “subsection may not exceed one year”.

2001—Subsecs. (e) to (g). Pub. L. 107-107 added subsec. (e) and redesignated former subsecs. (e) and (f) as (f) and (g), respectively.

2000—Subsec. (c)(1)(B). Pub. L. 106-398 added second sentence and struck out former second sentence which read as follows: “The Secretary shall also consider the value of housing in kind provided to the individual when determining program eligibility.”

¹ See References in Text note below.

1999—Subsec. (a). Pub. L. 106-65, §674(a), substituted “Program Required” for “Authority” in heading and “The Secretary of Defense shall carry out a program to provide supplemental foods and nutrition education” for “The Secretary of Defense may carry out a program to provide special supplemental food benefits” in text.

Subsec. (b). Pub. L. 106-65, §674(b), amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: “For the purpose of obtaining Federal payments and commodities in order to carry out the program referred to in subsection (a), the Secretary of Agriculture shall make available to the Secretary of Defense the same payments and commodities as are made for the special supplemental food program in the United States under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786). The Secretary of Defense may use funds available for the Department of Defense to carry out the program under subsection (a).”

Subsec. (c)(1)(A). Pub. L. 106-65, §674(c)(1), inserted at end “In determining eligibility for benefits, a person already certified for participation in the special supplemental nutrition program for women, infants, and children under such section 17 shall be considered eligible for the duration of the certification period under that special supplemental nutrition program.”

Subsec. (c)(1)(B). Pub. L. 106-65, §674(c)(2), added subpar. (B) and struck out former subpar. (B) which read as follows: “The Secretary of Defense shall prescribe regulations governing computation of income eligibility standards for families of individuals participating in the program under this section.”

Subsec. (c)(2). Pub. L. 106-65, §674(c)(3), inserted “, particularly with respect to nutrition education” before period at end.

Subsec. (c)(3). Pub. L. 106-65, §674(c)(4), added par. (3).

Subsec. (f)(4). Pub. L. 106-65, §674(d), added par. (4).

1997—Subsec. (b). Pub. L. 105-85 reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “For the purpose of obtaining Federal payments and commodities in order to carry out the program referred to in subsection (a), the Secretary of Agriculture shall make available to the Secretary of Defense from funds appropriated for such purpose, the same payments and commodities as are made for the special supplemental food program in the United States under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).”

1996—Subsec. (f)(2)(B). Pub. L. 104-106 substituted “, as determined in accordance with the Immigration and Nationality Act (8 U.S.C. 1101 et seq.)” for “(as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)))”.

Statutory Notes and Related Subsidiaries

PILOT PROGRAM TO INCREASE ACCESS TO FOOD ON MILITARY INSTALLATIONS OF THE ARMY

Pub. L. 118-159, div. A, title VI, §654, Dec. 23, 2024, 138 Stat. 1939, provided that:

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2024], the Secretary of the Army shall implement a pilot program to increase access to food on military installations of the Army for members of the Army who reside on such military installations.

“(b) ACCESS.—Food made available under the program under this section shall be accessible with a common access card (or other means determined appropriate by the Secretary) at dining facilities, commissaries, exchanges, restaurants, and other locations where such members can obtain food.

“(c) TERMINATION.—The pilot program under this section shall terminate five years after the date of the enactment of this Act.

“(d) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a briefing on the implementation of the program under this section. Such briefing shall include the following elements:

“(1) The milestones and timeline to complete such implementation.

“(2) Resources, including software, hardware, and personnel, necessary for such implementation.

“(3) A description of potential barriers to implementation of the program, particularly for remote or rural military installations, or installations located in geographic areas with limited access to food.

“(4) Policies or regulations of the Department of the Army that the Secretary determines necessary for such implementation.

“(5) Recommendations of the Secretary regarding legislation necessary for such implementation.”

FOOD INSECURITY AMONG MILITARY FAMILIES: DATA COLLECTION; TRAINING; REPORT

Pub. L. 117-263, div. A, title VI, §645, Dec. 23, 2022, 136 Stat. 2637, provided that:

“(a) DATA COLLECTION.—Not later than one year after the date of the enactment of this Act [Dec. 23, 2022], the Under Secretary of Defense for Personnel and Readiness, in coordination with the Under Secretary for Food, Nutrition, and Consumer Services of the Department of Agriculture, shall—

“(1) develop a survey, in collaboration with the Department of Agriculture, to determine how many members of the Armed Forces serving on active duty, and dependents of such members, are food insecure;

“(2) issue the survey to such members and dependents;

“(3) collect data related to the number of such members and dependents who—

“(A) are eligible for the basic needs allowance under section 402b of title 37, United States Code;

“(B) receive such basic needs allowance; and

“(C) are surveyed on the use, by such members and dependents, of Federal nutrition assistance programs, including—

“(i) the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

“(ii) the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786); and

“(iii) the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), and the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);

“(4) develop and carry out a plan to train and designate an individual who will assist members at military installations on how and where to refer such members and their dependents for participation in Federal nutrition assistance programs described in paragraph (3)(C); and

“(5) coordinate efforts of the Department of Defense to address food insecurity and nutrition.

“(b) REPORT.—Not later than one year after the date of the enactment of this Act [Dec. 23, 2022], and annually thereafter for the four subsequent years, the Under Secretary of Defense for Personnel & Readiness shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives], the Committees on Agriculture and Education and Labor [now Committee on Education and the Workforce] of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report including the following:

“(1) The number of members of the Armed Forces serving on active duty and their dependents who are food insecure.

“(2) The number of such members and their dependents who use the Federal nutrition assistance programs described in subsection (a)(3).

“(3) The number of such members and their dependents described in subsection (a)(3).

“(4) The status of implementation of the plan under subsection (a)(5) [sic; probably should be “subsection (a)(4)”].”

REPORT ON IMPLEMENTATION OF SPECIAL
SUPPLEMENTAL FOOD PROGRAM

Pub. L. 105–85, div. A, title VI, §655(b)(2), Nov. 18, 1997, 111 Stat. 1805, directed the Secretary of Defense to submit to Congress a report including plans to implement the program authorized under this section not later than 90 days after Nov. 18, 1997.

§ 1060b. Military ID cards: dependents and survivors of retirees

(a) ISSUANCE OF PERMANENT ID CARD.—(1) In issuing military ID cards to retiree dependents, the Secretary concerned shall issue a permanent ID card (not subject to renewal) to any such retiree dependent as follows:

(A) A retiree dependent who has attained 75 years of age.

(B) A retiree dependent who is permanently disabled.

(2) A permanent ID card shall be issued to a retiree dependent under paragraph (1)(A) upon the expiration, after the retiree dependent attains 75 years of age, of any earlier, renewable military card or, if earlier, upon the request of the retiree dependent after attaining age 75.

(b) DEFINITIONS.—In this section:

(1) The term “military ID card” means a card or other form of identification used for purposes of demonstrating eligibility for any benefit from the Department of Defense.

(2) The term “retiree dependent” means a person who is a dependent of a retired member of the uniformed services, or a survivor of a deceased retired member of the uniformed services, who is eligible for any benefit from the Department of Defense.

(Added Pub. L. 108–375, div. A, title V, §583(a)(1), Oct. 28, 2004, 118 Stat. 1929; amended Pub. L. 109–364, div. A, title V, §598(a), (b)(1), Oct. 17, 2006, 120 Stat. 2237.)

Editorial Notes

AMENDMENTS

2006—Pub. L. 109–364, §598(b)(1), struck out “; issuance of permanent ID card after attaining 75 years of age” after “retirees” in section catchline.

Subsec. (a). Pub. L. 109–364, §598(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “In issuing military ID cards to retiree dependents, the Secretary concerned shall issue a permanent ID card (not subject to renewal) to any such retiree dependent who has attained 75 years of age. Such a permanent ID card shall be issued upon the expiration, after the retiree dependent attains 75 years of age, of any earlier, renewable military ID card or, if earlier, upon the request of such a retiree dependent after attaining age 75.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 108–375, div. A, title V, §583(b), Oct. 28, 2004, 118 Stat. 1929, provided that: “Section 1060b of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2004.”

§ 1060c. Provision of veterinary services

(a) IN GENERAL.—A veterinary professional described in subsection (b) may provide veterinary services in any State, the District of Columbia, or a territory or possession of the United States,

without regard to where such veterinary professional or the patient animal are located, if the provision of such services is within the scope of the authorized duties of such veterinary professional for the Department of Defense.

(b) VETERINARY PROFESSIONAL DESCRIBED.—A veterinary professional described in this subsection is an individual who is—

(1)(A) a member of the armed forces, a civilian employee of the Department of Defense, or otherwise credentialed and privileged at a Federal veterinary institution or location designated by the Secretary of Defense for purposes of this section; or

(B) a member of the National Guard performing training or duty under section 502(f) of title 32;

(2) certified as a veterinary professional by a certification recognized by the Secretary of Defense; and

(3) currently licensed by a State, the District of Columbia, or a territory or possession of the United States to provide veterinary services.

(Added Pub. L. 116–92, div. A, title VII, §735(a), Dec. 20, 2019, 133 Stat. 1462; amended Pub. L. 118–159, div. A, title VII, §733, Dec. 23, 2024, 138 Stat. 1956.)

Editorial Notes

AMENDMENTS

2024—Pub. L. 118–159, §733(1), struck out “in emergencies” after “veterinary services” in section catchline.

Subsec. (a). Pub. L. 118–159, §733(2), struck out “for the purposes described in subsection (c)” after “veterinary services”.

Subsec. (c). Pub. L. 118–159, §733(3), struck out subsec. (c) which described the purposes of veterinary services in response to certain emergencies.

**CHAPTER 54—COMMISSARY AND EXCHANGE
BENEFITS**

Sec. 1061.	Survivors of certain Reserve and Guard members.
1062.	Certain former spouses and surviving spouses.
1063.	Use of commissary stores and MWR retail facilities: members of reserve components and reserve retirees under age 60.
1064.	Use of commissary stores and MWR retail facilities: members of National Guard serving in federally declared disaster or national emergency.
1065.	Use of commissary stores and MWR facilities: certain veterans, caregivers for veterans, and Foreign Service officers.
1066.	Use of commissary stores and MWR facilities: protective services civilian employees.

Editorial Notes

AMENDMENTS

2023—Pub. L. 118–31, div. A, title VI, §633(c), Dec. 22, 2023, 137 Stat. 297, inserted “and surviving spouses” after “spouses” in item 1062. Amendment was made pursuant to operation of section 102 of this title.

2021—Pub. L. 117–81, div. A, title X, §1081(a)(16), Dec. 27, 2021, 135 Stat. 1920, added item 1065 and struck out former item 1065 “Use of commissary stores and MWR facilities: certain veterans and caregivers for veterans”.

Pub. L. 116–283, div. A, title VI, §631(b), title X, §1081(a)(23), Jan. 1, 2021, 134 Stat. 3682, 3872, added items 1065 and 1066.