

§ 7223. Acquisition of land for radio stations and for other purposes

Land of the United States that is under the control of any department or agency of the United States may be mutually selected as a site for a naval radio station by the Secretary of the Navy and the head of the department or agency having control of the land. By direction of the President, land so selected may be transferred to and placed under the jurisdiction of the Department of the Navy for use as a naval radio station or for any other naval purpose.

(Aug. 10, 1956, ch. 1041, 70A Stat. 447.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7223	34 U.S.C. 523.	Aug. 29, 1916, ch. 417, 39 Stat. 606 (3d proviso).

The word “agency” is substituted for the word “branch” to conform to present terminology. The words “by the Secretary of the Navy and the head of the department or agency having control of the land” are added to identify the officials who “mutually” select the site.

§ 7224. Transportation on naval vessels during wartime

In time of war or during a national emergency declared by the President, such persons as the Secretary of the Navy authorizes by regulation may be transported and subsisted on naval vessels at Government expense.

(Aug. 10, 1956, ch. 1041, 70A Stat. 447.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7224	34 U.S.C. 474.	Aug. 2, 1946, ch. 756, § 18, 60 Stat. 855.

TERMINATION OF WAR AND EMERGENCIES

Joint Res. July 25, 1947, ch. 327, § 3, 61 Stat. 451, provided that in the interpretation of section 474 of former Title 34, the date July 25, 1947, should be deemed to be the date of termination of any state of war theretofore declared by Congress and of the national emergencies proclaimed by the President on Sept. 8, 1939, and May 27, 1941.

The state of war with Japan ended on Apr. 28, 1952, by the coming into effect of the Treaty of Peace with Japan on that date. The state of war with Germany ended on Oct. 19, 1951. See notes preceding section 1 of Appendix to Title 50, War and National Defense.

§ 7225. Navy Reserve flag

The Secretary of the Navy shall prescribe a suitable flag to be known as the Navy Reserve flag. This flag may be flown by a seagoing merchant vessel if—

- (1) the vessel is documented under the laws of the United States;
- (2) the vessel has been designated by the Secretary, under such regulations as he prescribes, as suitable for service as a naval auxiliary in time of war; and
- (3) the master or commanding officer and at least half of the other licensed officers of the vessel are members of the Navy.

(Aug. 10, 1956, ch. 1041, 70A Stat. 447; Pub. L. 109-163, div. A, title V, § 515(b)(1)(T), (3)(D), Jan. 6, 2006, 119 Stat. 3233, 3234.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7225	50 U.S.C. 1048.	July 9, 1952, ch. 608, § 409, 66 Stat. 499.

In clause (3) the words “at least half” are substituted for the words “not less than 50 per centum”. The words “or Naval Reserve” are omitted as surplusage, since the Navy includes the Naval Reserve.

AMENDMENTS

2006—Pub. L. 109-163, § 515(b)(3)(D), substituted “Navy Reserve” for “Naval Reserve” in section catchline.

Pub. L. 109-163, § 515(b)(1)(T), substituted “Navy Reserve” for “Naval Reserve” in introductory provisions.

§ 7226. Navy Reserve yacht pennant

The Secretary of the Navy shall prescribe a suitable pennant to be known as the Navy Reserve yacht pennant. This pennant may be flown by a yacht or similar vessel if—

- (1) the vessel is documented under the laws of the United States;
- (2) the vessel has been designated by the Secretary, under such regulations as he prescribes, as suitable for service as a naval auxiliary in time of war; and
- (3) the captain or owner of the vessel is a member of the Navy.

(Aug. 10, 1956, ch. 1041, 70A Stat. 447; Pub. L. 109-163, div. A, title V, § 515(b)(1)(U), (3)(E), Jan. 6, 2006, 119 Stat. 3233, 3234.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7226	50 U.S.C. 1049.	July 9, 1952, ch. 608, § 410, 66 Stat. 499.

In clause (3) the words “or Naval Reserve” are omitted as surplusage, since the Navy includes the Naval Reserve.

AMENDMENTS

2006—Pub. L. 109-163, § 515(b)(3)(E), substituted “Navy Reserve” for “Naval Reserve” in section catchline.

Pub. L. 109-163, § 515(b)(1)(U), substituted “Navy Reserve” for “Naval Reserve” in introductory provisions.

§ 7227. Foreign naval vessels and aircraft: supplies and services

(a) The Secretary of the Navy, under such regulations as he prescribes, may authorize any United States naval vessel or activity to furnish any of the following supplies or services, when in the best interests of the United States, on a reimbursable basis without an advance of funds if similar supplies and services are furnished on a like basis to naval vessels and military aircraft of the United States by the foreign country concerned:

- (1) Routine port services in territorial waters of the United States or in waters under United States control, including pilotage, tugs, garbage removal, line-handling, and utilities, to naval vessels of foreign countries.
- (2) Routine airport services, including landing and takeoff assistance, use of runways,

parking and servicing, to military aircraft of foreign countries.

(3) Miscellaneous supplies, including fuel, provisions, spare parts, and general stores, but not including ammunition, to naval vessels and military aircraft of foreign countries.

(4) Overhauls, repairs, and alterations together with necessary equipment and its installation required in connection therewith, to naval vessels and military aircraft of foreign countries.

(b)(1) Routine port and airport services may be furnished under this section at no cost to the foreign country concerned where such services are provided by United States naval personnel and equipment without direct cost to the Navy.

(2) When furnishing routine port services under this section to naval vessels of a foreign country, the Secretary may furnish such services without reimbursement if such services are provided under an agreement that provides for the reciprocal furnishing by such country of routine port services to naval vessels of the United States without reimbursement. When furnishing routine airport services under this section to military aircraft of a foreign country, the Secretary may furnish such services without reimbursement if such services are provided under an agreement that provides for the reciprocal furnishing by such country of routine airport services to military aircraft of the United States without reimbursement.

(3) If routine port or airport services are furnished under this section by a working-capital fund activity of the Navy established under section 2208 of this title and such activity is not reimbursed directly for the costs incurred by the activity in furnishing those services by reason of paragraph (2), the working-capital fund activity shall be reimbursed for such costs out of operating funds currently available to the Navy.

(c) Payments for supplies and services furnished under this section may be credited to current appropriations so as to be available for the same purpose as the appropriation initially charged.

(Aug. 10, 1956, ch. 1041, 70A Stat. 447; Pub. L. 86-55, § 1, June 23, 1959, 73 Stat. 89; Pub. L. 98-94, title XII, § 1219(a), Sept. 24, 1983, 97 Stat. 691; Pub. L. 98-525, title XIV, § 1405(49), Oct. 19, 1984, 98 Stat. 2625; Pub. L. 102-190, div. A, title X, § 1048, Dec. 5, 1991, 105 Stat. 1468.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7227	34 U.S.C. 555d, 34 U.S.C. 555e.	May 27, 1953, ch. 67, 67 Stat. 34.

AMENDMENTS

1991—Subsec. (a). Pub. L. 102-190, § 1048(a), struck out “friendly” before “foreign country” in introductory provisions and “friendly” before “foreign countries” in pars. (1) to (4).

Subsec. (b)(2). Pub. L. 102-190, § 1048(b), struck out subpar. (A) designation, substituted “naval vessels of a foreign country” for “naval vessels of an allied country”, inserted after first sentence “When furnishing routine airport services under this section to military aircraft of a foreign country, the Secretary may furnish such services without reimbursement if such serv-

ices are provided under an agreement that provides for the reciprocal furnishing by such country of routine airport services to military aircraft of the United States without reimbursement.”, designated last sentence relating to furnishing of routine services by a working-capital fund activity of the Navy as par. (3), and struck out former subpar. (B) which defined “allied country”.

Subsec. (b)(3). Pub. L. 102-190, § 1048(b)(5), designated last sentence of par. (2) relating to furnishing of routine services by a working-capital fund activity of the Navy as par. (3) and substituted “port or airport services” for “port services” and “paragraph (2)” for “this paragraph”.

1984—Subsec. (a)(1), (2). Pub. L. 98-525, § 1405(49)(A), (C), in cls. (1) and (2), substituted “Routine” for “routine” and a period for the semicolon at the end.

Subsec. (a)(3). Pub. L. 98-525, § 1405(49)(B), (D), substituted “Miscellaneous” for “miscellaneous” and a period for “; and”.

1983—Subsec. (b). Pub. L. 98-94 designated existing provisions as par. (1) and added par. (2).

1959—Pub. L. 86-55 authorized supplies and services to be furnished by any United States naval vessel or activity, and the furnishing of supplies and services to aircraft, eliminated provisions which limited the furnishing of supplies on a reimbursable basis to ships of foreign countries that had entered into a prior reciprocal agreement, and which permitted services, including overhauling, repairs, alterations and installation of equipment, to be furnished only if funds to cover the estimated cost thereof were advanced, and permitted the furnishing of routine port and airport services at no cost where such services are without direct cost to the Navy.

EFFECTIVE DATE OF 1983 AMENDMENT

Section 1219(b) of Pub. L. 98-94 provided that: “The amendments made by subsection (a) [amending this section] shall take effect on October 1, 1983.”

§ 7228. Merchant vessels: supplies

(a) The Secretary of the Navy, under such regulations as he prescribes, may sell to a merchant ship such fuel and other supplies as may be required to meet its necessities if the ship is unable—

(1) to procure the supplies from other sources at its present location; and

(2) to proceed to the nearest port where they may be obtained without endangering the safety of the ship, the health and comfort of its personnel, or the safe condition of the property carried on it.

(b) Sales under this section shall be at such prices as the Secretary considers reasonable. Payment shall be made on a cash basis or on such other basis as will reasonably assure prompt payment. Amounts received from such a sale shall, unless otherwise directed by another provision of law, be credited to the current appropriation concerned and are available for the same purposes as that appropriation.

(Aug. 10, 1956, ch. 1041, 70A Stat. 448.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7228	34 U.S.C. 555f.	June 4, 1954, ch. 264, § 3, 68 Stat. 176.

§ 7229. Purchase of fuel

In buying fuel, the Secretary of the Navy may, in any manner he considers proper, buy the kind