

of that property and, except for property properly expended, for its return when required.
(Aug. 10, 1956, ch. 1041, 70A Stat. 582.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9654	10:1182.	May 18, 1916, ch. 124, 39 Stat. 123.

The words “at his discretion and” and “belonging to the Government, and which can be spared for that purpose, as may appear to be” are omitted as surplusage. The words “except for property properly expended” are inserted for clarity. The word “stores” is omitted as covered by the word “supplies”.

§ 9655. Arms and ammunition: agencies and departments of United States

(a) Whenever required for the protection of public money and property, the Secretary of the Air Force may lend arms and their accouterments, and issue ammunition, to a department or independent agency of the United States, upon request of its head. Property lent or issued under this subsection may be delivered to an officer of the department or agency designated by the head thereof, and that officer shall account for the property to the Secretary of the Air Force. Property lent or issued under this subsection and not properly expended shall be returned when it is no longer needed.

(b) The department or agency to which property is lent or issued under subsection (a) shall transfer funds to the credit of the Department of the Air Force to cover the costs of—

- (1) ammunition issued;
- (2) replacing arms and accouterments that have been lost or destroyed or cannot be repaired;
- (3) repairing arms and accouterments returned to the Department of the Air Force; and
- (4) making and receiving shipments by the Department of the Air Force.

(Aug. 10, 1956, ch. 1041, 70A Stat. 582.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9655(a)	50:61 (less proviso).	Mar. 3, 1879, ch. 183 (2d par. under “Miscellaneous”); restated Apr. 14, 1937, ch. 79, 50 Stat. 63.
9655(b)	50:61 (proviso).	

In subsection (a), the word “lend” is substituted for the word “issue”, with respect to arms and accouterments, since the property must be returned when the necessity for its use has expired. The words “and not properly expended” are inserted for clarity. The words “United States” are substituted for the word “Government”. The word “their” is substituted for the words “suitable * * * for use therewith”. The words “it is no longer needed” are substituted for the words “the necessity for their use has expired”.

In subsection (b), the words “hereafter”, “borrowed”, and “under the authority of this section” are omitted as surplusage.

§ 9656. Aircraft and equipment: civilian aviation schools

The Secretary of the Air Force, under regulations to be prescribed by him, may lend aircraft,

aircraft parts, and aeronautical equipment and accessories that are required for instruction, training, and maintenance, to accredited civilian aviation schools at which personnel of the Department of the Air Force or the Department of the Army are pursuing a course of instruction and training under detail by competent orders.

(Aug. 10, 1956, ch. 1041, 70A Stat. 583; Pub. L. 97-295, §1(53), Oct. 12, 1982, 96 Stat. 1301.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9656	10:298b.	Apr. 3, 1939, ch. 35, §4, 53 Stat. 556.

The words “in his discretion and”, “rules”, “limitations”, and “on hand and belonging to the Government such articles as may appear to be” are omitted as surplusage. The words “Department of the Air Force or the Department of the Army” are substituted for the words “Military Establishment”, since the authority is reciprocal.

1982 ACT

In 10:9656, the words “, and at least one of which is designated by the Civil Aeronautics Authority for the training of Negro air pilots” are stricken as obsolete.

AMENDMENTS

1982—Pub. L. 97-295 struck out “, and at least one of which is designated by the Civil Aeronautics Authority for the training of Negro air pilots” after “competent orders”.

CHAPTER 943—DISPOSAL OF OBSOLETE OR SURPLUS MATERIAL

Sec.	
9681.	Surplus war material: sale to States and foreign governments.
9682.	Obsolete or excess material: sale to National Council of Boy Scouts of America.
9684.	Surplus obsolete ordnance: sale to patriotic organizations.
9685.	Obsolete ordnance: loan to educational institutions and State soldiers' and sailors' orphans' homes.
9686.	Obsolete ordnance: gift to State homes for soldiers and sailors.

§ 9681. Surplus war material: sale to States and foreign governments

Subject to regulations under section 121 of title 40, the Secretary of the Air Force may sell surplus war material and supplies, except food, of the Department of the Air Force, for which there is no adequate domestic market, to any State or to any foreign government with which the United States was at peace on June 5, 1920. Sales under this section shall be made upon terms that the Secretary considers expedient.

(Aug. 10, 1956, ch. 1041, 70A Stat. 583; Pub. L. 96-513, title V, §514(18), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 107-217, §3(b)(36), Aug. 21, 2002, 116 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9681	10:1262.	June 5, 1920, ch. 240 (2d proviso under "Contingencies of the Army"), 41 Stat. 949; Oct. 31, 1951, ch. 654, §2(8), 65 Stat. 707.

The word "may" is substituted for the words "is authorized in his discretion, to". The words "war material" are substituted for the word "matériel". The words "or equipment" are omitted as covered by the word "supplies". The words "of the Department of the Air Force" are substituted for the words "pertaining to the Military Establishment". The words "which are not needed for military purposes" are omitted as covered by the word "surplus". The words "as or may be found to be" are omitted as surplusage.

AMENDMENTS

2002—Pub. L. 107-217 substituted "section 121 of title 40" for "section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486)".

1980—Pub. L. 96-513 substituted "section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486)" for "section 486 of title 40".

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

§ 9682. Obsolete or excess material: sale to National Council of Boy Scouts of America

Subject to regulations under section 121 of title 40, the Secretary of the Air Force, under such conditions as he may prescribe, may sell obsolete or excess material to the National Council of the Boy Scouts of America. Sales under this section shall be at fair value to the Department of the Air Force, including packing, handling, and transportation.

(Aug. 10, 1956, ch. 1041, 70A Stat. 583; Pub. L. 96-513, title V, §514(18), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 107-217, §3(b)(37), Aug. 21, 2002, 116 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9682	10:1259.	May 15, 1937, ch. 193, 50 Stat. 167; Oct. 31, 1951, ch. 654, §2(7), 65 Stat. 707.

The words "obsolete or excess material" are substituted for the words "such obsolete material as may not be needed by the Department of the Army, and such other material as may be spared" to conform to the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.). The words "in his discretion" are omitted as surplusage.

AMENDMENTS

2002—Pub. L. 107-217 substituted "section 121 of title 40" for "section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486)".

1980—Pub. L. 96-513 substituted "section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486)" for "section 486 of title 40".

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

§ 9684. Surplus obsolete ordnance: sale to patriotic organizations

Subject to regulations under section 121 of title 40, the Secretary of the Air Force may sell, without advertisement and at prices that he considers reasonable—

(1) surplus obsolete small arms and ammunition and equipment for them, to any patriotic organization for military purposes; and

(2) surplus obsolete brass or bronze cannons, carriages, and cannon balls, for public parks, public buildings, and soldiers' monuments.

(Aug. 10, 1956, ch. 1041, 70A Stat. 583; Pub. L. 96-513, title V, §514(18), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 107-217, §3(b)(38), Aug. 21, 2002, 116 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9684	50:64. 50:68.	May 28, 1908, ch. 215, §14, 35 Stat. 443; June 28, 1950, ch. 383, §402(g), 64 Stat. 273; Oct. 31, 1951, ch. 654, §2(26), 65 Stat. 707. Mar. 4, 1909, ch. 319, §47, 35 Stat. 1075; June 28, 1950, ch. 383, §402(i), 64 Stat. 273; Oct. 31, 1951, ch. 654, §2(26), 65 Stat. 707.

50:64 (proviso) and 50:68 (proviso) are omitted as surplusage.

The words "the Chief of Ordnance" are omitted, since the functions which, for the Army, are assigned by statute to subordinate officers of the Army, are, for the Air Force, assigned to the Secretary of the Air Force.

AMENDMENTS

2002—Pub. L. 107-217 substituted "section 121 of title 40" for "section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486)" in introductory provisions.

1980—Pub. L. 96-513 substituted "section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486)" for "section 486 of title 40".

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

§ 9685. Obsolete ordnance: loan to educational institutions and State soldiers' and sailors' orphans' homes

(a) Upon the recommendation of the Governor of the State concerned or Guam or the Virgin Islands, the Secretary of the Air Force, under regulations to be prescribed by him and without cost to the United States for transportation, may lend obsolete ordnance and ordnance stores to State, Guam, and the Virgin Islands educational institutions and to State soldiers' and sailors' orphans' homes, for drill and instruction. However, no loan may be made under this subsection to an institution to which ordnance or ordnance stores may be issued under any law that was in effect on June 30, 1906, and is still in effect.

(b) The Secretary shall require a bond from each institution or home to which property is lent under subsection (a), in double the value of the property lent, for the care and safekeeping