

(b) In time of war or national emergency declared by Congress or by the President after January 1, 1953, a member of the Fleet Reserve or the Fleet Marine Corps Reserve, without his consent, may be released from active duty other than from active duty for training only if—

- (1) a board of officers convened at his request by an authority designated by the Secretary recommends the release and the recommendation is approved;
(2) the member does not request that a board be convened; or
(3) his release is otherwise authorized by law.

This subsection does not apply during a period of demobilization or reduction in strength of the Navy or the Marine Corps.

(Aug. 10, 1956, ch. 1041, 70A Stat. 417.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 6486, 34 U.S.C. 854d (3d proviso), June 25, 1938, ch. 690, §205 (3d proviso); added July 9, 1952, ch. 608, §808, 66 Stat. 508.

In subsection (a) the words "or active duty for training" are omitted as covered by the term "active duty" as used in this revised title.

In subsection (b) the words "other than from active duty for training" are inserted since the term "active duty" as used in 34 U.S.C. 854d (3d proviso) does not include active duty for training. Clause (3) is inserted, since other provisions of law are necessarily exceptions to the general rule here stated. The words "or the Marine Corps" are inserted in the last sentence of subsection (b) to reflect the applicability of the section to the Fleet Marine Corps Reserve.

[[§§ 6487, 6488. Repealed. Pub. L. 96-513, title III, § 362(b), (c), Dec. 12, 1980, 94 Stat. 2903]

Section 6487, act Aug. 10, 1956, ch. 1041, 70A Stat. 418, related to retirement pay of certain rear admirals who retire after serving two years on active duty in time of war or national emergency.

Section 6488, act Aug. 10, 1956, ch. 1041, 70A Stat. 418, related to retention of certain wartime appointments or promotions upon release from active duty. See section 1370 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as an Effective Date of 1980 Amendment note under section 101 of this title.

CHAPTER 577—DEATH BENEFITS; CARE OF THE DEAD

Table with 2 columns: Sec., Repealed.]. Row 1: 6521. Repealed.]. Row 2: 6522. Disposition of effects.

AMENDMENTS

1958—Pub. L. 85-861, §1(145), Sept. 2, 1958, 72 Stat. 1512, struck out item 6521 "Allowance to dependents: designation of beneficiary".

[§ 6521. Repealed. Pub. L. 85-861, § 36B(21), Sept. 2, 1958, 72 Stat. 1571]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 418, related to allowances to dependents, and to designation of beneficiary. See sections 1475 et seq. of this title.

§ 6522. Disposition of effects

(a) If money or other personal property of a deceased member of the naval service is in the custody of the Department of the Navy, the Secretary of the Navy shall keep it in safe custody and make a diligent effort to determine and locate the heirs or next of kin of the deceased member. Property remaining unclaimed two years after the death of the member shall be sold, and the proceeds, together with any of his money held in custody, shall be covered into the Treasury.

(b) Within five years after the date the money and proceeds are covered into the Treasury, any claim that is presented therefor supported by competent proof shall be certified to Congress for consideration.

(c) The Secretary shall prescribe regulations for the administration of this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 419.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 6522, 34 U.S.C. 942, Mar. 29, 1918, ch. 31, 40 Stat. 499.

In subsection (a) the word "shall" is substituted for the words "authorized and directed"; the word "effort" is substituted for the word "inquiry"; the words "determine and locate" are substituted for the words "ascertain the whereabouts"; the words "personal property" are substituted for the words "all articles of value, papers, keepsakes, and other similar effects". The phrase "to the credit of the Navy pension fund" is omitted since this fund was abolished by §9 of the Act of June 26, 1934, ch. 756, 48 Stat. 1229. The application of this section is confined to the money and other personal property of the deceased member in the custody of the Department of the Navy to make it clear that disposition is made only of property held by the Department of the Navy and not of property which may be under other custody, over which the Department of the Navy would have no control.

In subsection (b) the word "covered" is substituted for the word "deposited".

PART III—EDUCATION AND TRAINING

Table with 3 columns: Chap., Title, Sec. Row 1: 601. Officer Procurement Programs, 6901. Row 2: 602. Training Generally, 6931. Row 3: 603. United States Naval Academy, 6951. Row 4: 605. United States Naval Postgraduate School, 7041. Row 5: 607. Retirement of Civilian Members of the Teaching Staffs of the United States Naval Academy and United States Naval Postgraduate School, 7081. Row 6: 609. Professional Military Education Schools, 7101.

AMENDMENTS

1998—Pub. L. 105-261, div. A, title V, §521(b)(2), Oct. 17, 1998, 112 Stat. 2011, added item for chapter 602.

1991—Pub. L. 102-190, div. A, title X, §1061(a)(27)(B), Dec. 5, 1991, 105 Stat. 1474, substituted "Education" for "Educational" in item for chapter 609.

1990—Pub. L. 101-510, div. A, title IX, §912(b), Nov. 5, 1990, 104 Stat. 1627, added item for chapter 609.

CHAPTER 601—OFFICER PROCUREMENT PROGRAMS

Table with 2 columns: Sec., Repealed.]. Row 1: 6901 to 6910. Repealed.]