

of not more than 25 marine mammals each year for national defense purposes. Any such authorization may be made only with the concurrence of the Secretary of Commerce and after consultation with the Marine Mammal Commission established by section 201 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1401).

(b) HUMANE TREATMENT REQUIRED.—A mammal taken under this section shall be captured, supervised, cared for, transported, and deployed in a humane manner consistent with conditions established by the Secretary of Commerce.

(c) PROTECTION FOR ENDANGERED SPECIES.—A mammal may not be taken under this section if the mammal is determined to be a member of an endangered or threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

(d) APPLICATION OF OTHER ACT.—This section applies without regard to the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.).

(Added Pub. L. 99-661, div. A, title XIII, §1354(a), Nov. 14, 1986, 100 Stat. 3996.)

REFERENCES IN TEXT

The Marine Mammal Protection Act of 1972, referred to in subsec. (d), is Pub. L. 92-522, Oct. 21, 1972, 86 Stat. 1027, as amended, which is classified generally to chapter 31 (§1361 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1361 of Title 16 and Tables.

CHAPTER 647—DISPOSAL OF OBSOLETE OR SURPLUS MATERIAL

- Sec.
- 7541. Obsolete and other material: gift or sale to Boy Scouts of America, Naval Sea Cadet Corps and Young Marines of the Marine Corps League.
- 7541a. Uniform clothing: sale to Naval Sea Cadet Corps.
- 7541b. Authority to make grants for purposes of Naval Sea Cadet Corps.
- 7542. Excess clothing: sale for distribution to needy.
- 7543. Useless ordnance material: disposition of proceeds on sale.
- 7544. Devices and trophies: transfer to other agencies.
- 7545. Obsolete material and articles of historical interest: loan or gift.
- 7546. Loan or gift of articles to ships' sponsors and donors.
- 7547. Equipment for instruction in seamanship: loan to military schools.

AMENDMENTS

2009—Pub. L. 111-84, div. A, title V, §592(b), Oct. 28, 2009, 123 Stat. 2337, added item 7541b.

1975—Pub. L. 93-628, §1(b), Jan. 3, 1975, 88 Stat. 2148, inserted “, Naval Sea Cadet Corps and Young Marines of the Marine Corps League” in item 7541.

1965—Pub. L. 89-266, §1(2), Oct. 19, 1965, 79 Stat. 990, added item 7541a.

§ 7541. Obsolete and other material: gift or sale to Boy Scouts of America, Naval Sea Cadet Corps and Young Marines of the Marine Corps League

Subject to regulations under section 121 of title 40, the Secretary of the Navy may—

- (1) give obsolete material not needed for naval purposes; and

- (2) sell other material that may be spared at a price representing its fair value;

to the Boy Scouts of America for the sea scouts, to the Naval Sea Cadet Corps for the sea cadets, and to the Young Marines of the Marine Corps League for the young marines. The cost of transportation and delivery of material given or sold under this section shall be charged to the Boy Scouts of America, to the Naval Sea Cadets, or to the Young Marines of the Marine Corps League, as the case may be.

(Aug. 10, 1956, ch. 1041, 70A Stat. 465; Pub. L. 93-628, §1, Jan. 3, 1975, 88 Stat. 2147; Pub. L. 96-513, title V, §513(39), Dec. 12, 1980, 94 Stat. 2934; Pub. L. 107-217, §3(b)(31), Aug. 21, 2002, 116 Stat. 1297.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7541	34 U.S.C. 546b.	Mar. 1, 1929, ch. 429, 45 Stat. 1430; Oct. 31, 1951, ch. 654, §2(21), 65 Stat. 707.

The word “give” is substituted for the words “dispose of without charge”; the words “naval purposes” are substituted for the words “the Navy”; and the word “sell” is substituted for the words “dispose of * * * at prices”. The words “to the Navy” are omitted as surplusage. Since the corporate name of the organization is “Boy Scouts of America”, that name is used to designate the transferee in lieu of words “sea scout department”, and the words “for the sea scouts” are added.

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”.

1975—Pub. L. 93-628 inserted “Naval Sea Cadet Corps and Young Marines of the Marine Corps League” in section catchline, and authorized the Secretary of the Navy to gift obsolete materials and to sell surplus materials to the Naval Sea Cadet Corps and the Young Marines of the Marine Corps League with the requirement that the cost of transportation and delivery of such materials be charged to the recipient.

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.

EFFECTIVE DATE OF 1975 AMENDMENT

Pub. L. 93-628, §2, Jan. 3, 1975, 88 Stat. 2148, provided that: “The amendments made by the first section [amending this section] shall take effect on the date of the enactment of this Act [Jan. 3, 1975].”

§ 7541a. Uniform clothing: sale to Naval Sea Cadet Corps

Subject to regulations under section 121 of title 40, the Secretary of the Navy, under regulations prescribed by him, may sell any item of enlisted naval uniform clothing that may be spared, at a price representing its fair value, to the Naval Sea Cadet Corps for the sea cadets and to any Federal or State maritime academy having a department of naval science for the maritime cadets and midshipmen. The cost of trans-