

**[§ 9711. Repealed. Pub. L. 106-65, div. A, title VII, § 721(b), Oct. 5, 1999, 113 Stat. 694]**

Section, Aug. 10, 1956, ch. 1041, 70A Stat. 584, related to inquests.

**§ 9712. Disposition of effects of deceased persons by summary court-martial**

(a) Upon the death of—

(1) a person subject to military law at a place or command under the jurisdiction of the Air Force; or

(2) a resident of the Armed Forces Retirement Home who dies in an Air Force hospital outside the District of Columbia when sent from the Home to that hospital for treatment;

the commanding officer of the place or command shall permit the legal representative or the surviving spouse of the deceased, if present, to take possession of the effects of the deceased that are then at the air base or in quarters.

(b) If there is no legal representative or surviving spouse present, the commanding officer shall direct a summary court-martial to collect the effects of the deceased that are then at the air base or in quarters.

(c) The summary court-martial may collect debts due the decedent's estate by local debtors, pay undisputed local creditors of the deceased to the extent permitted by money of the deceased in the court's possession, and shall take receipts for those payments, to be filed with the court's final report to the Department of the Air Force.

(d) As soon as practicable after the collection of the effects and money of the deceased, the summary court-martial shall send them at the expense of the United States to the living person highest on the following list who can be found by the court:

- (1) The surviving spouse or legal representative.
- (2) A child of the deceased.
- (3) A parent of the deceased.
- (4) A brother or sister of the deceased.
- (5) The next-of-kin of the deceased.
- (6) A beneficiary named in the will of the deceased.

(e) If the summary court-martial cannot dispose of the effects under subsection (d) because there are no persons in those categories or because the court finds that the addresses of the persons are not known or readily ascertainable, the court may convert the effects of the deceased, except sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes, into cash, by public or private sale, but not until 30 days after the date of death of the deceased.

(f) As soon as practicable after the effects have been converted into cash under subsection (e), the summary court-martial shall deposit all cash in the court's possession and belonging to the estate with the officer designated in regulations, and shall send a receipt therefor, together with any will or other papers of value, an inventory of the effects and articles not permitted to be sold, to the executive part of the Department of the Air Force. The Secretary of the Air Force shall deliver to the Armed Forces Retirement Home all items received by the executive part of

the Department of the Air Force under this subsection.

(Aug. 10, 1956, ch. 1041, 70A Stat. 585; Pub. L. 89-718, § 48, Nov. 2, 1966, 80 Stat. 1121; Pub. L. 96-513, title V, § 514(19), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 99-145, title XIII, § 1301(d)(4)(A), Nov. 8, 1985, 99 Stat. 736; Pub. L. 101-510, div. A, title XV, § 1533(a)(9), Nov. 5, 1990, 104 Stat. 1735; Pub. L. 104-316, title II, § 202(g), Oct. 19, 1996, 110 Stat. 3842.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
9712(a) .....	5:150j (words before 1st semicolon of 1st par.; and last par.).	June 4, 1920, ch. 227, subch. II, § 1 (Art. 112), 41 Stat. 809; May 5, 1950, ch. 169, § 6(c), 64 Stat. 145.
9712(b) .....	5:150j (22 words after 1st semicolon of 1st par.).	
9712(c) .....	5:150j (words between 1st and 2d semicolons of 1st par., less 1st 22 words).	
9712(d) .....	5:150j (words between 2d and 3d semicolons of 1st par.).	
9712(e) .....	5:150j (words between 3d and 4th semicolons of 1st par.).	
9712(f) .....	5:150j (1st par., less words before 4th semicolon, and less last 40 words).	
9712(g) .....	5:150j (last 40 words of 1st par.).	

In subsection (a), the words "the court-martial jurisdiction of the Air Force or the Army at a place or command under the jurisdiction of the Air Force" are substituted for the words "military law", to reflect the creation of a separate Air Force. Clause (2) is substituted for 5:150j (last par.).

In subsections (a), (b), and (c), the words "surviving spouse" are substituted for the word "widow".

In subsection (c), the word "may" is substituted for the words "shall have authority to". The words "to the extent permitted" are substituted for the words "in so far as \* \* \* will permit". The words "under this article" and "upon its transactions" are omitted as surplusage.

In subsection (d), the words "through the Quartermaster Corps" are omitted, since the Air Force does not have organic corps created by statute. The words "if such be found by said court" are omitted as surplusage. The words "United States" are substituted for the word "Government". 5:150j (19 words before 3d semicolon of 1st par.) is omitted as covered by subsection (g).

In subsection (e), the first 37 words are substituted for 5:150j (33 words after 3d semicolon of 1st par.). The word "may" is substituted for the word "shall have the authority".

In subsection (f), the words "Soldiers' Home" are inserted, since, as provided in section 9713 of this title, the Home is now the place where the mentioned articles are sent.

AMENDMENTS

1996—Subsec. (g). Pub. L. 104-316 struck out subsec. (g) which read as follows: "The summary court-martial shall make a full report of the transactions under this section, with respect to the deceased, to the Department of the Air Force for transmission to the General Accounting Office for action authorized in the settlement of accounts of deceased members of the Air Force."

1990—Subsec. (a)(2). Pub. L. 101-510, § 1533(a)(9)(A), substituted "a resident of the Armed Forces Retirement Home" for "an inmate of the United States Soldiers' and Airmen's Home".

Subsec. (f). Pub. L. 101-510, § 1533(a)(9)(B), struck out "for transmission to the United States Soldiers' and Airmen's Home" after "Department of the Air Force"

and inserted at end “The Secretary of the Air Force shall deliver to the Armed Forces Retirement Home all items received by the executive part of the Department of the Air Force under this subsection.”

1985—Subsec. (d). Pub. L. 99-145 substituted pars. (1) to (6) for former pars. (1) to (9) which read as follows:

“(1) Surviving spouse or legal representative.

“(2) Son.

“(3) Daughter.

“(4) Father, if he has not abandoned the support of his family.

“(5) Mother.

“(6) Brother.

“(7) Sister.

“(8) Next of kin.

“(9) Beneficiary named in the will of the deceased.”

1980—Subsecs. (a)(2), (f). Pub. L. 96-513 substituted “United States Soldiers’ and Airmen’s Home” for “Soldiers’ Home”.

1966—Subsec. (a)(1). Pub. L. 89-718 substituted “military law” for “the court-martial jurisdiction of the Air Force or the Army”.

#### EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-510 effective one year after Nov. 5, 1990, see section 1541 of Pub. L. 101-510, formerly set out as an Effective Date note under section 401 of Title 24, Hospitals and Asylums.

#### 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.

### [§ 9713. Repealed. Pub. L. 101-510, div. A, title XV, § 1533(a)(10)(A), Nov. 5, 1990, 104 Stat. 1735]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 586; Dec. 12, 1980, Pub. L. 96-513, title V, § 514(20)(A), (B), 94 Stat. 2936; Nov. 8, 1985, Pub. L. 99-145, title XIII, § 1301(d)(4)(B), 99 Stat. 737; Nov. 29, 1989, Pub. L. 101-189, div. A, title XVI, § 1621(a)(1), 103 Stat. 1602, related to disposition of effects of deceased persons by Soldiers’ and Airmen’s Home.

#### EFFECTIVE DATE OF REPEAL

Repeal effective one year after Nov. 5, 1990, see section 1541 of Pub. L. 101-510, formerly set out as an Effective Date note under section 401 of Title 24, Hospitals and Asylums.

## CHAPTER 947—TRANSPORTATION

Sec.

[9741 to 9748. Repealed.]

#### AMENDMENTS

2004—Pub. L. 108-375, div. A, title X, § 1072(d)(3), Oct. 28, 2004, 118 Stat. 2058, struck out items 9741 “Control and supervision”, 9743 “Officers: use of transportation”, and 9746 “Civilian personnel in Alaska”.

1996—Pub. L. 104-201, div. A, title IX, § 906(d)(3), Sept. 23, 1996, 110 Stat. 2620, struck out item 9742 “Control of transportation systems in time of war”.

1962—Pub. L. 87-651, title I, § 129(2), Sept. 7, 1962, 76 Stat. 514, struck out item 9748 “Motor vehicles: for members on permanent change of station”.

### [§ 9741. Repealed. Pub. L. 108-375, div. A, title X, § 1072(c), Oct. 28, 2004, 118 Stat. 2058]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 587, related to control and supervision of transportation of members, munitions of war, equipment, military property, and stores of the Air Force.

### [§ 9742. Repealed. Pub. L. 104-201, div. A, title IX, § 906(c), Sept. 23, 1996, 110 Stat. 2620]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 587, authorized President, through Secretary of the Air Force,

to assume control of any transportation system in time of war. See section 2644 of this title.

### [§ 9743. Repealed. Pub. L. 108-375, div. A, title X, § 1072(c), Oct. 28, 2004, 118 Stat. 2058]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 587, related to use of transportation by officers of the Air Force.

### [§ 9746. Repealed. Pub. L. 108-375, div. A, title X, § 1072(c), Oct. 28, 2004, 118 Stat. 2058]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 587; Pub. L. 98-443, § 9(k), Oct. 4, 1984, 98 Stat. 1708, related to civilian personnel in Alaska.

### [§ 9748. Repealed. Pub. L. 87-651, title I, § 129(1), Sept. 7, 1962, 76 Stat. 514]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 588, related to transportation of motor vehicles for members on permanent change of station.

## CHAPTER 949—REAL PROPERTY

Sec.

9771. Acceptance of donations: land for mobilization, training, supply base, or aviation field.

[9772. Repealed.]

9773. Acquisition and construction: air bases and depots.

[9774, 9775. Repealed.]

9776. Emergency construction: fortifications.

9777. Permits: military reservations; landing ferries, erecting bridges, driving livestock.

9778. Licenses: military reservations; erection and use of buildings; Young Men’s Christian Association.

9779. Use of public property.

9780. Acquisition of buildings in District of Columbia.

9781. Disposition of real property at missile sites.

9782. Maintenance and repair of real property.

9783. Johnston Atoll: reimbursement for support provided to civil air carriers.

#### AMENDMENTS

2000—Pub. L. 106-398, § 1 [[div. A], title III, § 383(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-86, added item 9783.

1997—Pub. L. 105-85, div. A, title II, § 242(b), Nov. 18, 1997, 111 Stat. 1667, added item 9782.

1987—Pub. L. 100-180, div. B, subdiv. 3, title II, § 2325(b), Dec. 4, 1987, 101 Stat. 1221, added item 9781.

1982—Pub. L. 97-214, § 10(a)(9)(B), July 12, 1982, 96 Stat. 175, struck out item 9774 “Construction: limitations”.

1980—Pub. L. 96-513, title V, § 514(21), Dec. 12, 1980, 94 Stat. 2936, struck out item 9772 “Reservation and use for air base or testing field”.

1973—Pub. L. 93-166, title V, § 509(e), Nov. 29, 1973, 87 Stat. 678, substituted “Construction: limitations” for “Construction of quarters: limitations on space and cost” in item 9774.

1971—Pub. L. 92-145, title V, § 509(b), Oct. 27, 1971, 85 Stat. 408, struck out item 9775 “Quarters: officers”.

1958—Pub. L. 85-861, § 1(203)(B), Sept. 2, 1958, 72 Stat. 1542, added item 9780.

### § 9771. Acceptance of donations: land for mobilization, training, supply base, or aviation field

The Secretary of the Air Force may accept for the United States a gift of—

(1) land that he considers suitable and desirable for a permanent mobilization, training, or supply base; and

(2) land that he considers suitable and desirable for an aviation field, if the gift is from a