

ing thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 7212. Employment of outside architects and engineers

(a) Whenever the Secretary of the Navy believes that the existing facilities of the Department of the Navy are inadequate and he considers it advantageous to national defense, he may employ, by contract or otherwise, without advertising and without reference to sections 305, 3324, and 7204, chapter 51, and subchapters III, IV, and VI of chapter 53 of title 5, architectural or engineering corporations, or firms, or individual architects or engineers, to produce designs, plans, drawings, and specifications for the accomplishment of any naval public works or utilities project or for the construction of any vessel or aircraft, or part thereof.

(b) The fee for any service under this section may not exceed 6 percent of the estimated cost, as determined by the Secretary, of the project to which the fee applies.

(Aug. 10, 1956, ch. 1041, 70A Stat. 444; Pub. L. 89-718, § 28, Nov. 2, 1966, 80 Stat. 1119; Pub. L. 95-454, title VII, § 703(c)(3), title VIII, § 801(a)(3)(I), Oct. 13, 1978, 92 Stat. 1217, 1222; Pub. L. 96-513, title V, § 513(25), Dec. 12, 1980, 94 Stat. 2932.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7212	34 U.S.C. 556.	Apr. 25, 1939, ch. 87, § 3, 53 Stat. 591.

In subsection (a) the word “outside” is omitted as surplusage and the words “architects or engineers” are inserted for clarity. The words “without advertising” are substituted for the reference to R.S. 3609, for brevity and clarity.

AMENDMENTS

1980—Subsec. (a). Pub. L. 96-513 substituted “and 7204, chapter 51, and subchapters III, IV, and VI of chapter 53 of” for “5101-5115, 5331-5338, 5341, 5342, and 7204 of title 5 and subchapter VI of chapter 53 of such”.

1978—Subsec. (a). Pub. L. 95-454, § 801(a)(3)(I), inserted reference to subchapter VI of chapter 53 of title 5.

Pub. L. 95-454, § 703(c)(3), substituted “7204” for “7154”.

1966—Subsec. (a). Pub. L. 89-718 substituted “sections 305, 3324, 5101-5115, 5331-5338, 5341, 5342, and 7154 of title 5” for “sections 1071-1153 of title 5”.

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 1978 AMENDMENT

Amendment by section 703(c)(3) of Pub. L. 95-454 effective 90 days after Oct. 13, 1978, see section 907 of Pub. L. 95-454, set out as a note under section 1101 of Title 5, Government Organization and Employees.

Amendment by section 801(a)(3)(I) of Pub. L. 95-454 effective on first day of first applicable pay period beginning on or after 90th day after Oct. 13, 1978, see section 801(a)(4) of Pub. L. 95-454, set out as an Effective Date note under section 5361 of Title 5.

[§ 7213. Repealed. Pub. L. 103-160, div. A, title VIII, § 824(a)(3), Nov. 30, 1993, 107 Stat. 1707]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 445, related to relief of contractors and their employees from losses by enemy action.

§ 7214. Apprehension of deserters and prisoners; operation of shore patrols

(a) The Secretary of the Navy may make such expenditures out of available appropriations as he considers necessary to—

- (1) apprehend and deliver deserters, stragglers, and prisoners; and
- (2) operate shore patrols.

(b) The Secretary, to the extent he considers proper, may delegate the authority conferred by this section to any person in the Department of the Navy, with or without the authority to make successive redelegations.

(Aug. 10, 1956, ch. 1041, 70A Stat. 445.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7214	34 U.S.C. 606. 5 U.S.C. 421g(d). 5 U.S.C. 412a.	Aug. 2, 1946, ch. 756, § 22, 60 Stat. 856. Aug. 2, 1946, ch. 756, § 40(d), 60 Stat. 858. Aug. 2, 1946, ch. 756, § 39, 60 Stat. 858.

In subsection (a) the word “naval” is omitted as surplusage.

In subsection (b) the words “except the authority to prescribe regulations” are omitted, since 34 U.S.C. 606 contains no authority for the Secretary of the Navy to prescribe regulations for the administration of that section.

[§ 7215. Repealed. Pub. L. 90-377, § 6(2), July 5, 1968, 82 Stat. 288]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 445, authorized Secretary of the Navy to maintain and operate naval prisons and prison farms and to provide for subsistence, welfare, recreation, and education of naval prisoners.

§ 7216. Collection, preservation, and display of captured flags

The Secretary of the Navy shall collect all flags, standards, and colors taken by the Navy or the Marine Corps from enemies of the United States. These flags, standards, and colors shall be delivered to the President. Under his direction they shall be preserved and displayed in any public place he considers proper.

(Aug. 10, 1956, ch. 1041, 70A Stat. 445.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7216	5 U.S.C. 418.	R.S. 428; R.S. 1554; R.S. 1555.

The words “from time to time cause to be”, “transmitted to him”, and “for the purpose of being” are omitted as surplusage. The words “Marine Corps” are inserted for clarity, since the provision is interpreted as applicable thereto.

[§ 7217. Repealed. Pub. L. 101-510, div. A, title XIII, § 1322(a)(15), Nov. 5, 1990, 104 Stat. 1672]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 445, related to reports to Congress concerning appropriations for Department of the Navy.

[§ 7218. Repealed. Pub. L. 89-529, § 1(3), Aug. 11, 1966, 80 Stat. 339; Pub. L. 97-295, § 1(46), Oct. 12, 1982, 96 Stat. 1298]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 445, authorized Secretary of Navy to give special recognition to members of naval service for excellence, special service and good conduct in naval service. Subsec. (b) of this section was amended by Pub. L. 89-718, § 8(a), Nov. 2, 1966, 80 Stat. 1117, subsequent to repeal of this section by Pub. L. 89-529, and as so amended had provided that the Secretary had the same power with respect to members of Coast Guard when the Coast Guard was operating as a service in the Navy and to members of Environmental Science Services Administration serving with the Navy. Pub. L. 97-295, § 1(46), repealed subsec. (b). Pub. L. 89-718, § 8(a), was repealed by Pub. L. 97-295, § 6(b), Oct. 12, 1982, 96 Stat. 1314.

§ 7219. Leases of waterfront property from States or municipalities

In leasing waterfront property from a State or municipality, the Secretary of the Navy may provide in the lease, where it is required by state law or municipal charter, that, as part or all of the consideration, any improvements placed upon the property by the United States become the property of the lessor when the lease, including any renewal, ends.

(Aug. 10, 1956, ch. 1041, 70A Stat. 446.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7219	34 U.S.C. 521.	July 1, 1918, ch. 114, 40 Stat. 705 (2d par.).

§ 7220. Gifts for welfare of enlisted members

The Secretary of the Navy may accept gifts for use in providing recreation, amusement, and contentment for enlisted members of the naval service. The fund “Ships’ Stores Profits, Navy” shall be credited with these gifts.

(Aug. 10, 1956, ch. 1041, 70A Stat. 446.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7220	5 U.S.C. 419a.	June 30, 1932, ch. 318, 47 Stat. 424 (2d proviso).

The words “and contributions from organizations, individuals, or others” are omitted as surplusage.

§ 7221. Acceptance and care of gifts to vessels

The Secretary of the Navy may accept and care for such gifts of silver, colors, books, or other articles of equipment or furniture as, in accordance with custom, are made to vessels of the Navy. Necessary expenses incident to the care of gifts that are accepted shall be paid from the appropriation for the maintenance and operation of vessels.

(Aug. 10, 1956, ch. 1041, 70A Stat. 446.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7221	5 U.S.C. 419.	May 20, 1908, ch. 182, 35 Stat. 171.

The words “in the form” and “by States, municipalities, or otherwise” are omitted as surplusage. The words “the appropriation for the maintenance and operation of vessels” are substituted for the words “the appropriation ‘Equipment of Vessels’” to identify by a general description, rather than by a specific appropriation title, the appropriation authorized to be used.

§ 7222. Naval Historical Center Fund: references to Fund

Any reference in a law, regulation, document, paper, or other record of the United States to the Naval Historical Center Fund formerly maintained under this section shall be deemed to refer to the Department of the Navy General Gift Fund maintained under section 2601 of this title.

(Aug. 10, 1956, ch. 1041, 70A Stat. 446; Pub. L. 104-201, div. A, title X, § 1073(b)(1), (2)(A), Sept. 23, 1996, 110 Stat. 2657; Pub. L. 106-398, § 1 [[div. A], title IX, § 942(d)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-242.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7222	5 U.S.C. 419b.	Mar. 4, 1937, ch. 26, 50 Stat. 25.

In subsection (a) the word “receive” and the words “from individuals or others” and “of the United States” are omitted as surplusage. The title of the “Office of Naval Records and Library, Navy Department” is changed to “Office of Naval Records and History”, in accordance with a directive of the Secretary of the Navy dated March 10, 1949.

Subsection (b) is rewritten for clarity and to conform to a similar statement appearing in 5 U.S.C. 150s.

AMENDMENTS

2000—Pub. L. 106-398 amended section catchline and text generally. Prior to amendment, section related to acceptance and administration of gifts, bequests, and loans for the benefit of the Naval Historical Center.

1996—Pub. L. 104-201, § 1073(b)(2)(A), substituted “Naval Historical Center Fund” for “Office of Naval Records and History gift fund” in section catchline.

Subsecs. (a), (c). Pub. L. 104-201, § 1073(b)(1), substituted “Naval Historical Center” for “Office of Naval Records and History” wherever appearing.

MERGER OF NAVAL HISTORICAL CENTER FUND INTO DEPARTMENT OF THE NAVY GENERAL GIFT FUND

Pub. L. 106-398, § 1 [[div. A], title IX, § 942(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-241, provided that:

“(1) The Secretary of the Navy shall transfer all amounts in the Naval Historical Center Fund maintained under section 7222 of title 10, United States Code, to the Department of the Navy General Gift Fund maintained under section 2601 of such title. Upon completing the transfer, the Secretary shall close the Naval Historical Center Fund.

“(2) Amounts transferred to the Department of the Navy General Gift Fund under this subsection shall be merged with other amounts in that Fund and shall be available for the purposes for which amounts in that Fund are available.”