

**§ 9540. Architectural and engineering services**

(a) Whenever he considers that it is advantageous to the national defense and that existing facilities of the Department of the Air Force are inadequate, the Secretary of the Air Force may, by contract or otherwise, employ the architectural or engineering services of any person outside that Department for producing and delivering designs, plans, drawings, and specifications needed for any public works or utilities project of the Department.

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

(c) Sections 305, 3324, and 7204, chapter 51, and subchapters III, IV, and VI of chapter 53 of title 5 do not apply to employment under this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 577; 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, §514(15), Dec. 12, 1980, 94 Stat. 2936.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code)                        | Source (Statutes at Large)                |
|-----------------|---|---|
| 9540(a) .....   | 5:221 (1st sentence, less last 15 words). | Aug. 7, 1939, ch. 511, §2, 53 Stat. 1240. |
| 9540(b) .....   | 5:221 (less 1st sentence).                |   |
| 9540(c) .....   | 5:221 (last 15 words of 1st sentence).    |   |

In subsection (a), the words “and providing that in the opinion” are omitted as covered by the words “whenever he considers”. The words “needed for” are substituted for the words “required for the accomplishment of”.

In subsection (c), reference is made in substance to the Classification Act of 1949, instead of the Classification Act of 1923 referred to in the source statute, since section 1106(a) of the Classification Act of 1949, 63 Stat. 972, provides that all references in other acts to the Classification Act of 1923 should be considered to refer to the Classification Act of 1949.

AMENDMENTS

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

1978—Subsec. (c). 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. (c). 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.

**[§ 9541. Repealed. Pub. L. 103-160, div. A, title VIII, § 822(d)(2), Nov. 30, 1993, 107 Stat. 1707]**

Section, added Pub. L. 97-258, §2(b)(13)(B), Sept. 13, 1982, 96 Stat. 1058, related to gratuitous services of officers of Air Force Reserve. See section 10212 of this title.

**CHAPTER 935—ISSUE OF SERVICEABLE MATERIAL TO ARMED FORCES**

|            |  |
|------------|--|
| Sec. 9561. | Rations.   |
| 9562.      | Clothing.  |
| 9563.      | Clothing: replacement when destroyed to prevent contagion.                                   |
| 9564.      | Navy and Marine Corps: camp equipment and transportation; when on shore duty with Air Force. |
| 9565.      | Colors, standards, and guidons of demobilized organizations: disposition.                    |

**§ 9561. Rations**

(a) The President may prescribe the components, and the quantities thereof, of the Air Force ration. He may direct the issue of equivalent articles in place of the prescribed components whenever, in his opinion, economy and the health and comfort of the members of the Air Force so require.

(b) An enlisted member of the Air Force on active duty is entitled to one ration daily. The emergency ration, when issued, is in addition to the regular ration.

(c) Fresh or preserved fruits, milk, butter, and eggs necessary for the proper diet of the sick in hospitals shall be provided under regulations approved by the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 577.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code)  | Source (Statutes at Large)   |
|-----------------|---------------------|--|
| 9561(a) .....   | 10:724.             | Feb. 2, 1901, ch. 192 §40, 31 Stat. 758.   |
| 9561(b) .....   | 10:716b.<br>10:725. |  |
| 9561(c) .....   | 10:726.             | R.S. 1293, July 16, 1892, ch. 195 (last 15 words before proviso under “Subsistence of the Army”), 27 Stat. 178.<br>Mar. 2, 1907, ch. 2511 (1st proviso under “Subsistence Department”), 34 Stat. 1165.<br>R.S. 1175. |

In subsection (a), the words “the components, and the quantities thereof” are substituted for the words “the kinds and quantities of the component articles”. The words “substitutive” and “a due regard” are omitted as surplusage.

In subsection (b), the words “on active duty” are inserted for clarity. The words “under such regulations as may be prescribed by the Secretary of the Army”, in 10:725, are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory functions. The words “or reserve”, “prescribed for use on emergent occasions”, and “furnished”, in 10:725, are omitted as surplusage.

In subsection (c), the words “as the Surgeon General” are omitted, since the Air Force does not have the statutory office of Surgeon General, and 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. The words “Such quantities of” and “may be allowed” are omitted as surplusage.

DELEGATION OF AUTHORITY

Authority of President under subsec. (a) of this section to prescribe uniform military ration applicable to

Air Force delegated to Secretary of Defense by section 3(a) of Ex. Ord. No. 12781, Nov. 20, 1991, 56 F.R. 59203, set out as a note under section 301 of Title 3, The President.

### § 9562. Clothing

The President may prescribe the quantity and kind of clothing to be issued annually to members of the Air Force.

(Aug. 10, 1956, ch. 1041, 70A Stat. 577.)

#### HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large)    |
|-----------------|--------------------|-------------------------------|
| 9562 .....      | 10:831.            | R.S. 1296 (less 1st 9 words). |

The words “members of the Air Force” are substituted for the words “troops of the United States”.

### § 9563. Clothing: replacement when destroyed to prevent contagion

The Secretary of the Air Force may order a gratuitous issue of clothing to any enlisted member of the Air Force who has had a contagious disease, and to any hospital attendant who attended him while he had that disease, to replace clothing destroyed by order of a medical officer to prevent contagion.

(Aug. 10, 1956, ch. 1041, 70A Stat. 577.)

#### HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|----------------------------|
| 9563 .....      | 10:834             | R.S. 1298.                 |

The words “enlisted member” are substituted for the word “soldiers”. The words “any articles of their” are omitted as surplusage. The words “while he had that disease” are inserted for clarity. The words “a medical officer” are substituted for the words “proper medical officers”. The words “on the recommendation of the Surgeon General” are omitted, since the Air Force does not have the statutory office of Surgeon General, and 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.

### § 9564. Navy and Marine Corps: camp equipment and transportation; when on shore duty with Air Force

While any detachment of the Navy or Marine Corps is on shore duty in cooperation with troops of the Air Force, the Secretary of the Air Force shall, upon the requisition of the officer of the Navy or Marine Corps in command of the detachment, issue rations and camp equipment, and furnish transportation, to that detachment.

(Aug. 10, 1956, ch. 1041, 70A Stat. 578.)

#### HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code)                | Source (Statutes at Large)   |
|-----------------|-----------------------------------|--|
| 9564 .....      | 10:1259d.<br>10:1259e.<br>34:541. | R.S. 1143; June 28, 1950, ch. 383, § 402(a), 64 Stat. 272.<br>R.S. 1135; June 28, 1950, ch. 383, § 402(a), 64 Stat. 272. |

The words “While \* \* \* on shore duty” are substituted for the words “under orders to act on shore”, in 10:1259d and 1259e, and 34:541. The words “the Sec-

retary of the Air Force” are substituted for the words “the branch, office, or officers of the Army, the Secretary of the Army may from time to time designate”, in 10:1259d and 1259e, and 34:541, 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. The words “during the time such detachment is so acting or proceeding to act”, in 10:1259d and 1259e, and 34:541, are omitted as surplusage. The words “their baggage, provisions, and cannon”, in 10:1259e and 34:541, are omitted as surplusage. The words “and shall furnish the naval officer commanding any such detachment, and his necessary aides, with horses, accouterments, and forage”, in 10:1259e and 34:541, are omitted as obsolete.

### § 9565. Colors, standards, and guidons of demobilized organizations: disposition

(a) The Secretary of the Air Force may dispose of colors, standards, and guidons of demobilized organizations of the Air Force, as follows:

(1) Those brought into Federal service by the Air National Guard of a State may be returned to that State upon the request of its governor.

(2) Those that cannot be returned under clause (1) may, upon the request of its governor, be sent to the State that, as determined by the Secretary, furnished the majority of members of the organization when it was formed.

Those that cannot be returned or sent under clause (1) or (2) of this subsection shall be delivered to the Secretary, for such national use as he may direct.

(b) Title to colors, standards, and guidons of demobilized organizations of the Air Force remains in the United States.

(c) No color, standard, or guidon may be disposed of under this section unless provision satisfactory to the Secretary has been made for its preservation and care.

(Aug. 10, 1956, ch. 1041, 70A Stat. 578.)

#### HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code)                  | Source (Statutes at Large)                 |
|-----------------|-------------------------------------|--|
| 9565(a) .....   | 5:202 (less 3d and last sentences). | Mar. 4, 1921, ch. 166, § 2, 41 Stat. 1438. |
| 9565(b) .....   | 5:202 (3d sentence).                |  |
| 9565(c) .....   | 5:202 (last sentence).              |  |

In subsection (a), the words “Any which were used during their service by such organizations and” are omitted as surplusage. The first 15 words of the last sentence are substituted for 5:202 (1st 45 words of 2d sentence). The words “the Quartermaster General” 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.

### CHAPTER 937—UTILITIES AND SERVICES

|            |   |
|------------|---|
| Sec. 9591. | Utilities: proceeds from overseas operations.   |
| 9592.      | Radiograms and telegrams: forwarding charges due connecting commercial facilities.            |
| 9593.      | Quarters: heat and light.   |
| 9594.      | Air Force Military History Institute: fee for providing historical information to the public. |

#### AMENDMENTS

2000—Pub. L. 106-398, § 1 [[div. A], title X, § 1085(c)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-289, added item 9594.