

CHAPTER 943—DISPOSAL OF OBSOLETE OR SURPLUS MATERIAL

Sec.	
[9681.]	Repealed.]
9682.	Obsolete or excess material: sale to National Council of Boy Scouts of America.
9684.	Surplus obsolete ordnance: sale to patriotic organizations.
9685.	Obsolete ordnance: loan to educational institutions and State soldiers' and sailors' orphans' homes.
9686.	Obsolete ordnance: gift to State homes for soldiers and sailors.

AMENDMENTS

2016—Pub. L. 114-328, div. A, title XII, § 1253(a)(2)(E), Dec. 23, 2016, 130 Stat. 2532, struck out item 9681 “Surplus war material: sale to States and foreign governments”.

[§ 9681. Repealed. Pub. L. 114-328, div. A, title XII, § 1253(a)(1)(D), Dec. 23, 2016, 130 Stat. 2532]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 583; Pub. L. 96-513, title V, § 514(18), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 107-217, § 3(b)(36), Aug. 21, 2002, 116 Stat. 1298, related to sale to States and certain foreign governments of surplus war material.

§ 9682. Obsolete or excess material: sale to National Council of Boy Scouts of America

Subject to regulations under section 121 of title 40, the Secretary of the Air Force, under such conditions as he may prescribe, may sell obsolete or excess material to the National Council of the Boy Scouts of America. Sales under this section shall be at fair value to the Department of the Air Force, including packing, handling, and transportation.

(Aug. 10, 1956, ch. 1041, 70A Stat. 583; Pub. L. 96-513, title V, § 514(18), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 107-217, § 3(b)(37), Aug. 21, 2002, 116 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9682	10:1259.	May 15, 1937, ch. 193, 50 Stat. 167; Oct. 31, 1951, ch. 654, § 2(7), 65 Stat. 707.

The words “obsolete or excess material” are substituted for the words “such obsolete material as may not be needed by the Department of the Army, and such other material as may be spared” to conform to the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.). The words “in his discretion” are omitted as surplusage.

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)”.

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”.

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.

§ 9684. Surplus obsolete ordnance: sale to patriotic organizations

Subject to regulations under section 121 of title 40, the Secretary of the Air Force may sell, without advertisement and at prices that he considers reasonable—

(1) surplus obsolete small arms and ammunition and equipment for them, to any patriotic organization for military purposes; and

(2) surplus obsolete brass or bronze cannons, carriages, and cannon balls, for public parks, public buildings, and soldiers' monuments.

(Aug. 10, 1956, ch. 1041, 70A Stat. 583; Pub. L. 96-513, title V, § 514(18), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 107-217, § 3(b)(38), Aug. 21, 2002, 116 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9684	50:64. 50:68.	May 28, 1908, ch. 215, § 14, 35 Stat. 443; June 28, 1950, ch. 383, § 402(g), 64 Stat. 273; Oct. 31, 1951, ch. 654, § 2(26), 65 Stat. 707. Mar. 4, 1909, ch. 319, § 47, 35 Stat. 1075; June 28, 1950, ch. 383, § 402(i), 64 Stat. 273; Oct. 31, 1951, ch. 654, § 2(28), 65 Stat. 707.

50:64 (proviso) and 50:68 (proviso) are omitted as surplusage.

The words “the Chief of Ordnance” 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.

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”.

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.

§ 9685. Obsolete ordnance: loan to educational institutions and State soldiers' and sailors' orphans' homes

(a) Upon the recommendation of the Governor of the State concerned or Guam or the Virgin Islands, the Secretary of the Air Force, under regulations to be prescribed by him and without cost to the United States for transportation, may lend obsolete ordnance and ordnance stores to State, Guam, and the Virgin Islands educational institutions and to State soldiers' and sailors' orphans' homes, for drill and instruction. However, no loan may be made under this subsection to an institution to which ordnance or ordnance stores may be issued under any law that was in effect on June 30, 1906, and is still in effect.

(b) The Secretary shall require a bond from each institution or home to which property is lent under subsection (a), in double the value of the property lent, for the care and safekeeping

of that property and, except for property properly expended, for its return when required.

(Aug. 10, 1956, ch. 1041, 70A Stat. 584; Pub. L. 109-163, div. A, title X, §1057(a)(10), Jan. 6, 2006, 119 Stat. 3441.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9685(a)	50:62a (1st par. and proviso of last par.)	June 30, 1906, ch. 3938, 34 Stat. 817.
9685(b)	50:62a (last par., less proviso).	

In subsection (a), the words “at his discretion” and “as may be available” are omitted as surplusage. The word “lend” is substituted for the word “issue” to reflect the intent of the section. 50:62a (1st 13 words of proviso) is omitted as surplusage. The words “and which is still in effect” are inserted for clarity.

In subsection (b), the words “to the United States” are omitted as surplusage. The words “except property properly expended” are inserted for clarity.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-163 substituted “State concerned or Guam or the Virgin Islands” for “State or Territory concerned” and “State, Guam, and the Virgin Islands” for “State and Territorial”.

§ 9686. Obsolete ordnance: gift to State homes for soldiers and sailors

Subject to regulations under section 121 of title 40, the Secretary of the Air Force may give not more than two obsolete bronze or iron cannons suitable for firing salutes to any home for soldiers or sailors established and maintained under State authority.

(Aug. 10, 1956, ch. 1041, 70A Stat. 584; Pub. L. 96-513, title V, §514(18), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 107-217, §3(b)(39), Aug. 21, 2002, 116 Stat. 1298.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9686	50:66.	Feb. 8, 1889, ch. 116, 25 Stat. 657; Oct. 31, 1951, ch. 654, §2(27), 65 Stat. 707. Mar. 3, 1899, ch. 423 (1st proviso under “Ordnance Department”), 30 Stat. 1073; May 26, 1900, ch. 586 (1st proviso under “Ordnance Department”), 31 Stat. 216; June 28, 1950, ch. 383, §402(e), 64 Stat. 273.

The words “subject to such regulations as he may prescribe” are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory functions. The words “to any of the ‘National Homes for Disabled Volunteer Soldiers’ already established or hereafter established and”, in the Act of February 8, 1889, ch. 116, 25 Stat. 657, are not contained in 50:66 (2d sentence). They are also omitted from the revised section, since the National Homes for Disabled Volunteer Soldiers were dissolved by the Act of July 3, 1930, ch. 863, 46 Stat. 1016. The Acts of March 3, 1899, ch. 643 (1st proviso under “Ordnance Department”), 30 Stat. 1073; and May 26, 1900, ch. 586 (1st proviso under “Ordnance Department”), 31 Stat. 216, as amended, relating to disposal of ordnance to “Homes for Disabled Volunteer Soldiers” by the Chief of Ordnance of the Army, became inoperative when the

Homes were dissolved. Although section 402(e) of the Army Organization Act of 1950, ch. 383, 64 Stat. 273, amended the Act of May 26, 1900, it did not have the effect of reviving that act. The word “give” is substituted for the word “deliver” to express more clearly the intent of the section. The words “serviceable” and “as may be on hand undisposed of” are omitted as surplusage. The word “may” is substituted for the words “is authorized and directed”, since section 9684 of this title provides an alternative method for the disposal of obsolete cannon.

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)”.

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”.

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.

CHAPTER 945—DISPOSITION OF EFFECTS OF DECEASED PERSONS

Sec.

[9711. Repealed.]

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

[9713. Repealed.]

AMENDMENTS

1999—Pub. L. 106-65, div. A, title VII, §721(c)(4), (6), Oct. 5, 1999, 113 Stat. 695, substituted “DISPOSITION” for “INQUESTS; DISPOSITION” in chapter heading and struck out item 9711 “Inquests”.

1990—Pub. L. 101-510, div. A, title XV, §1533(a)(10)(B), Nov. 5, 1990, 104 Stat. 1735, struck out item 9713 “Disposition of effects of deceased persons by Soldiers’ and Airmen’s Home”.

1980—Pub. L. 96-513, title V, §514(20)(C), Dec. 12, 1980, 94 Stat. 2936, substituted “Soldiers’ and Airmen’s Home” for “Soldiers’ Home” in item 9713.

[§ 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