

2011—Subsec. (c). Pub. L. 112-81 substituted “may” for “shall” in introductory provisions.

1993—Pub. L. 103-160 designated existing provisions as subsec. (a), inserted heading, and added subsecs. (b) and (c).

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Pub. L. 103-160, div. A, title III, §371(b), formerly §371(d), Nov. 30, 1993, 107 Stat. 1635, renumbered §371(b) by Pub. L. 104-106, div. A, title III, §340(a)(2), Feb. 10, 1996, 110 Stat. 265; as amended by Pub. L. 103-337, div. A, title III, §374(b), Oct. 5, 1994, 108 Stat. 2736, provided that: “Subsections (b) and (c) of section 7604 [now 8804] of title 10, United States Code, as added by subsection (c) [now (a)], shall take effect on October 1, 1994.”

REGULATIONS

Pub. L. 101-510, div. A, title III, §329(a)(3), Nov. 5, 1990, 104 Stat. 1534, provided that: “The regulations required to be prescribed under section 7604 [now 8804] of title 10, United States Code (as amended by paragraph (1)), shall be first prescribed not later than 90 days after the date of the enactment of this Act [Nov. 5, 1990].”

**§ 8805. Acceptance of Government checks outside the United States**

Notwithstanding section 3302(a) of title 31, the Secretary of the Navy may authorize the officer in charge of any commissary store or ship’s store ashore located outside the United States to—

- (1) accept any Government check tendered by a retired member of the Navy or the Marine Corps, a member of the Navy Reserve or the Marine Corps Reserve, or a member of the Fleet Reserve or the Fleet Marine Corps Reserve, if the member is the payee of the check and the check is tendered in payment of amounts due from the member to the store; and
- (2) refund in cash any difference between the amount due and the amount of the tendered check.

(Aug. 10, 1956, ch. 1041, 70A Stat. 471, §7605; Pub. L. 96-513, title V, §513(42), Dec. 12, 1980, 94 Stat. 2935; Pub. L. 97-258, §3(b)(10), Sept. 13, 1982, 96 Stat. 1064; Pub. L. 109-163, div. A, title V, §515(b)(1)(V), Jan. 6, 2006, 119 Stat. 3233; renumbered §8805, Pub. L. 115-232, div. A, title VIII, §807(d)(9), Aug. 13, 2018, 132 Stat. 1837.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7605 .....	34 U.S.C. 552.	July 15, 1939, ch. 285, 53 Stat. 1043.

Since the authority of this section to refund any cash balance extends only to the payee of a check, the section is written to authorize only the payee to cash it. The Fleet Reserve and the Fleet Marine Corps Reserve were parts of the Naval Reserve and the Marine Corps Reserve, respectively, when the source statute was enacted but were removed therefrom by the Armed Forces Reserve Act of 1952. The words “or a member of the Fleet Reserve or the Fleet Marine Corps Reserve” are inserted in clause (1) to give this section the same applicability as the source.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7605 of this title as this section.

2006—Par. (1). Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve”.

1982—Pub. L. 97-258 substituted “section 3302(a) of title 31” for “sections 3639 and 3651 of the Revised Statutes (31 U.S.C. 521 and 543)”.

1980—Pub. L. 96-513 substituted “sections 3639 and 3651 of the Revised Statutes (31 U.S.C. 521 and 543)” for “sections 521 and 543 of title 31”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

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.

**§ 8806. Subsistence and other supplies: members of armed forces; veterans; executive or military departments and employees; prices**

(a)(1) The Secretary of the Navy shall procure and sell, for cash or credit—

(A) articles designated by the Secretary to members of the Navy and Marine Corps; and

(B) items of individual clothing and equipment to members of the Navy and Marine Corps, under such restrictions as the Secretary may prescribe.

(2) An account of sales on credit shall be kept and the amount due reported to the Secretary. Except for articles and items acquired through the use of working capital funds under section 2208 of this title, sales of articles shall be at cost, and sales of individual clothing and equipment shall be at average current prices, including overhead, as determined by the Secretary.

(b) The Secretary shall sell subsistence supplies to members of other armed forces at the prices at which like property is sold to members of the Navy and Marine Corps.

(c) The Secretary may sell serviceable supplies, other than subsistence supplies, to members of other armed forces for the buyers’ use in the service. The prices at which the supplies are sold shall be the same prices at which like property is sold to members of the Navy and Marine Corps.

(d) A person who has been discharged honorably or under honorable conditions from the Army, Navy, Air Force or Marine Corps and who is receiving care and medical treatment from the Public Health Service or the Department of Veterans Affairs may buy subsistence supplies and other supplies, except articles of uniform, at the prices at which like property is sold to members of the Navy and Marine Corps.

(e) Under such conditions as the Secretary may prescribe, exterior articles of uniform may be sold to a person who has been discharged honorably or under honorable conditions from the Navy or Marine Corps, at the prices at which like articles are sold to members of the Navy or Marine Corps. This subsection does not modify section 772 or 773 of this title.

(f) Under regulations prescribed by the Secretary, payment for subsistence supplies shall be made in cash or by commercial credit.

(g)(1) The Secretary may provide for the procurement and sale of stores designated by the Secretary to such civilian officers and employees of the United States, and such other persons, as the Secretary considers proper—

(A) at military installations outside the United States; and

(B) subject to paragraph (2), at military installations inside the United States where the Secretary determines that it is impracticable for those civilian officers, employees, and persons to obtain such stores from commercial enterprises without impairing the efficient operation of military activities.

(2) Sales to civilian officers and employees inside the United States may be made under paragraph (1) only to civilian officers and employees residing within military installations.

(h) Appropriations for subsistence of the Navy or Marine Corps may be applied to the purchase of subsistence supplies for sale to members of the Navy and Marine Corps on active duty for the use of such members and their families.

(Added Pub. L. 104-106, div. A, title III, §375(a)(1), Feb. 10, 1996, 110 Stat. 281, §7606; amended Pub. L. 105-85, div. A, title X, §1073(a)(63), Nov. 18, 1997, 111 Stat. 1903; renumbered §8806, Pub. L. 115-232, div. A, title VIII, §807(d)(9), Aug. 13, 2018, 132 Stat. 1837.)

#### PRIOR PROVISIONS

Prior sections 8811 to 8813 were repealed by Pub. L. 90-235, §3(a)(2), (b)(1), Jan. 2, 1968, 81 Stat. 757, 758.

Section 8811, act Aug. 10, 1956, ch. 1041, 70A Stat. 544, provided for discharge of enlisted members of Air Force and limitations thereon, and for issuance of discharge certificates. See section 1169 of this title.

Section 8812, act Aug. 10, 1956, ch. 1041, 70A Stat. 544, provided for discharge of members of Air Force enlisted during war or emergency. See section 1172 of this title.

Section 8813, act Aug. 10, 1956, ch. 1041, 70A Stat. 544, provided for dependency discharges for enlisted members of Air Force.

A prior section 8814, act Aug. 10, 1956, ch. 1041, 70A Stat. 545, authorized Secretary of Air Force to discharge a regular commissioned officer who has less than three years of continuous service as a commissioned officer therein, provided that such officer not be dismissed because of his marriage, unless marriage occurred within one year after date of his original appointment, prior to repeal by Pub. L. 96-513, title II, §214, Dec. 12, 1980, 94 Stat. 2885, effective Sept. 15, 1981. See section 630 of this title.

Prior sections 8815 and 8816 were repealed by Pub. L. 90-235, §3(a)(2), (b)(1), Jan. 2, 1968, 81 Stat. 757, 758.

Section 8815, act Aug. 10, 1956, ch. 1041, 70A Stat. 545, provided for resignation of regular enlisted members of Air Force enlisted on a career basis and limitations thereon.

Section 8816, act Aug. 10, 1956, ch. 1041, 70A Stat. 545, provided for minority discharges for regular enlisted members of Air Force. See section 1170 of this title.

A prior section 8817 was renumbered section 9307 of this title.

A prior section 8818, act Aug. 10, 1956, ch. 1041, 70A Stat. 545, authorized Secretary of Air Force, under regulations prescribed by President, to terminate appointment or enlistment of any female member of Regular Air Force, provided that appointment of a commissioned officer not be terminated by dismissal, prior to repeal by Pub. L. 96-513, title II, §236, Dec. 12, 1980, 94 Stat. 2887, effective Sept. 15, 1981.

Prior sections 8819 and 8820 were repealed by Pub. L. 103-337, div. A, title XVI, §1629(c)(2), Oct. 5, 1994, 108 Stat. 2963, effective Oct. 1, 1996.

Section 8819, added Pub. L. 85-861, §1(191)(A), Sept. 2, 1958, 72 Stat. 1534; amended Pub. L. 86-559, §1(65), June 30, 1960, 74 Stat. 278; Pub. L. 98-525, title V, §528(d), Oct. 19, 1984, 98 Stat. 2526; Pub. L. 104-106, div. A, title XV, §1501(c)(32), (33), Feb. 10, 1996, 110 Stat. 500, related to discharge of officers of Air Force Reserve or Air National Guard of United States for failure of promotion to first lieutenant. See section 14503 of this title.

Section 8820, act Aug. 10, 1956, ch. 1041, 70A Stat. 546, related to discharge and withdrawal of Federal recognition of officers of Air National Guard of United States absent without leave. See section 14907 of this title.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7606 of this title as this section.

1997—Subsec. (e). Pub. L. 105-85 substituted “section” for “sections”.

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

### CHAPTER 881—CLAIMS

Sec.

8821. Definitions.

8822. Admiralty claims against the United States.

8823. Admiralty claims by the United States.

#### AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §807(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1838, redesignated chapter 653 of this title as this chapter and items 7621 to 7623 as 8821 to 8823, respectively.

1962—Pub. L. 87-769, §1(2)(B), Oct. 9, 1962, 76 Stat. 768, struck out item 7625 “Claims against the United States: private property; loss or damage”.

1960—Pub. L. 86-533, §1(10)(B), June 29, 1960, 74 Stat. 247, struck out item 7624 “Reports to Congress”.

#### § 8821. Definitions

(a) In this chapter “vessel in the naval service” means—

(1) any vessel of the Navy, manned by the Navy, or chartered on bareboat charter to the Navy; or

(2) when the Coast Guard is operating as a service in the Navy, any vessel of the Coast Guard, manned by the Coast Guard, or chartered on bareboat charter to the Coast Guard.

(b) In this chapter “settle” means consider, ascertain, adjust, determine, and dispose of a claim, whether by full or partial allowance or by disallowance.

(Aug. 10, 1956, ch. 1041, 70A Stat. 472, §7621; renumbered §8821, Pub. L. 115-232, div. A, title VIII, §807(d)(9), Aug. 13, 2018, 132 Stat. 1837.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7621 .....	46 U.S.C. 793.	July 3, 1944, ch. 399, §3, 58 Stat. 724.

In subsection (a) the words “vessel in the naval service” are substituted for the words “vessels of the Navy or in the naval service”. The defined term is used throughout the chapter, and by definition includes vessels of the Navy. The words “when the Coast Guard is operating as a service in the Navy” are substituted for the words “the Coast Guard when operating as a part