

CHARGES FOR EXCESS ENERGY CONSUMPTION; DEPOSIT OF PROCEEDS; APPLICABILITY; IMPLEMENTATION

Assessment of members for excess energy consumption in military family housing facilities, see section 507 of Pub. L. 95-82, title V, Aug. 1, 1977, 91 Stat. 372, set out as a note under section 4593 of this title.

§ 9594. Air Force Military History Institute: fee for providing historical information to the public

(a) **AUTHORITY.**—Except as provided in subsection (b), the Secretary of the Air Force may charge a person a fee for providing the person with information from the United States Air Force Military History Institute that is requested by that person.

(b) **EXCEPTIONS.**—A fee may not be charged under this section—

- (1) to a person for information that the person requests to carry out a duty as a member of the armed forces or an officer or employee of the United States; or
- (2) for a release of information under section 552 of title 5.

(c) **LIMITATION ON AMOUNT.**—A fee charged for providing information under this section may not exceed the cost of providing the information.

(d) **RETENTION OF FEES.**—Amounts received under subsection (a) for providing information in any fiscal year shall be credited to the appropriation or appropriations charged the costs of providing information to the public from the United States Air Force Military History Institute during that fiscal year.

(e) **DEFINITIONS.**—In this section:

(1) The term “United States Air Force Military History Institute” means the archive for historical records and materials of the Air Force that the Secretary of the Air Force designates as the primary archive for such records and materials.

(2) The terms “officer of the United States” and “employee of the United States” have the meanings given the terms “officer” and “employee”, respectively, in sections 2104 and 2105, respectively, of title 5.

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

CHAPTER 969—SALE OF SERVICEABLE MATERIAL

Sec.	
9621.	Subsistence and other supplies: members of armed forces; veterans; executive or military departments and employees; prices.
9622.	Rations: commissioned officers in field.
[9623.]	Repealed.]
9624.	Medical supplies: civilian employees of the Air Force; American National Red Cross; Armed Forces Retirement Home.
9625.	Ordnance property: officers of armed forces; civilian employees of Air Force; American National Red Cross; educational institutions; homes for veterans' orphans.
9626.	Aircraft supplies and services: foreign military or other state aircraft.
9627.	Supplies: educational institutions.
9628.	Airplane parts and accessories: civilian flying schools.
9629.	Proceeds: disposition.

Sec.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 939 of this title as this chapter.

2008—Pub. L. 110-181, div. A, title X, §1031(a)(2), Jan. 28, 2008, 122 Stat. 306, added item 9626 and struck out former item 9626 “Aircraft supplies and services: foreign military or air attaché”.

1998—Pub. L. 105-261, div. A, title III, §366(b), Oct. 17, 1998, 112 Stat. 1987, struck out item 9623 “Tobacco: enlisted members of Air Force”.

1990—Pub. L. 101-510, div. A, title XV, §1533(a)(8)(C), Nov. 5, 1990, 104 Stat. 1735, amended item 9624 generally, substituting “Armed Forces Retirement Home” for “Soldiers’ and Airmen’s Home”.

1980—Pub. L. 96-513, title V, §514(17)(C), Dec. 12, 1980, 94 Stat. 2936, substituted “Soldiers’ and Airmen’s Home” for “Soldiers’ Home” in item 9624.

§ 9621. Subsistence and other supplies: members of armed forces; veterans; executive or military departments and employees; prices

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

- (1) articles designated by him, to members of the Air Force; and
- (2) items of individual clothing and equipment, to officers of the Air Force, under such restrictions as the Secretary may prescribe.

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 Air Force.

(c) The Secretary may sell serviceable quartermaster property, other than subsistence supplies, to an officer of another armed force for his use in the service, in the same manner as these articles are sold to an officer of the Air Force.

(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 a member of the Air Force.

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

(f) Whenever, under regulations to be prescribed by the Secretary, subsistence supplies are furnished to any organization of the Air Force or sold to employees of any executive department other than the Department of Defense, payment shall be made in cash or by commercial credit.

(g) The Secretary may, by regulation, provide for the procurement and sale of stores des-

ignated by him to such civilian officers and employees of the United States, and such other persons, as he considers proper—

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

(2) at military installations inside the United States where he determines that it is impracticable for those civilian officers, employees, and persons to obtain those stores from private agencies without impairing the efficient operation of military activities.

However, sales to those officers and employees inside the United States may be made only to those residing within military installations.

(h) Appropriations for subsistence of the Air Force may be applied to the purchase of subsistence supplies for sale to members of the Air Force on active duty for the use of themselves and their families.

(Aug. 10, 1956, ch. 1041, 70A Stat. 579; Pub. L. 87-651, title I, § 118, Sept. 7, 1962, 76 Stat. 513; Pub. L. 96-513, title V, § 514(16), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 97-22, § 11(a)(11), July 10, 1981, 95 Stat. 138; Pub. L. 100-180, div. A, title III, § 313(c), Dec. 4, 1987, 101 Stat. 1074; Pub. L. 101-189, div. A, title XVI, § 1621(a)(1), Nov. 29, 1989, 103 Stat. 1602; Pub. L. 104-106, div. A, title III, § 375(b)(2), Feb. 10, 1996, 110 Stat. 283.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9621(a)	10:904. 10:1231. 10:1237. 32:156.	Aug. 31, 1918, ch. 166, § 9 (less 17th through 22d words), 40 Stat. 957.
9621(b)	10:1238.	R.S. 1144; June 28, 1950, ch. 383, § 402(a), 64 Stat. 272.
9621(c)	10:1233.	June 3, 1916, ch. 134, § 109; restated June 4, 1920, ch. 227, subch. I, § 47; restated June 3, 1924, ch. 244, § 3; restated Oct. 14, 1940, ch. 875, § 3, 54 Stat. 1136; Mar. 25, 1948, ch. 157, § 5(b), 62 Stat. 91; Oct. 12, 1949, ch. 681, § 501(f)(2) and (3) (as applicable to § 109 of the Act of June 3, 1916, ch. 134), 63 Stat. 827; July 9, 1952, ch. 608, § 803 (12th par.), 66 Stat. 505.
9621(d)	10:1234. 34:539.	June 30, 1942, ch. 253, title I (last proviso under "Clothing and Equipage"), 42 Stat. 729.
9621(e)	10:1235.	July 5, 1884, ch. 217 (proviso under "Subsistence of the Army"), 23 Stat. 108.
9621(f)	10:1395 (less last sentence).	Aug. 29, 1916, ch. 418 (words before semicolon of 3d proviso under "Subsistence of the Army"), 39 Stat. 630.
9621(g)	10:1253.	Mar. 4, 1915, ch. 143 (last proviso under "Clothing, and Camp and Garrison Equipage"), 38 Stat. 1079; June 28, 1950, ch. 383, § 402(k), 64 Stat. 273.
9621(h)	10:1241.	June 5, 1920, ch. 240 (par. under "Purchase of Army Stores by Discharged Receiving Treatment from the Public Health Service"), 41 Stat. 976.
9621(i)	10:1196.	Feb. 14, 1927, ch. 134 (less last sentence), 44 Stat. 1096.

HISTORICAL AND REVISION NOTES—CONTINUED
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
		Mar. 3, 1911, ch. 209 (last par. under "Subsistence Department"), 36 Stat. 1047. Aug. 8, 1953, ch. 390, § 1, 67 Stat. 499. Mar. 3, 1875, ch. 131 (proviso of 1st sentence of 1st par. under "War Department"), 18 Stat. 410.

In subsection (a), the word "members" is substituted for the words "officers and enlisted men", in 10:1237. Clause (2) is substituted for 10:904. Reference to the Secretary of the Air Force is substituted for reference to branch, office, or officers of the Army, in 10:1237, since the functions which, for the Army are assigned to subordinate officers, are, for the Air Force assigned to the Secretary of the Air Force. 32:156 is omitted as covered by 10:904, since the words "officers of the Air Force" necessarily cover all persons named in 32:156. The words "Except for articles and items acquired through the use of working capital funds under sections 172-172j of title 5" are inserted to reflect Title IV of the National Security Act of 1947, as amended (63 Stat. 585), which authorized the Secretary of Defense to prescribe regulations governing the use and sale of certain inventories at cost, including applicable administrative expenses. (See opinion of the Assistant General Counsel (Fiscal Matters) of the Office of the Secretary of Defense, January 4, 1955.)

In subsection (b), the first sentence states expressly the rule which is implicit in 10:1238. The word "members" is substituted for the words "officers and enlisted men". The words "shall be understood, in all cases of such sales" are omitted as surplusage. The last sentence is inserted to reflect Title IV of the National Security Act of 1947, as amended (63 Stat. 585), which authorized the Secretary of Defense to prescribe regulations governing the use and sale of certain inventories at cost, including applicable administrative expenses. (See opinion of the Deputy General Counsel of the Office of the Secretary of Defense, March 28, 1956.)

In subsection (c), the word "members" is substituted for the words "officers and enlisted men". The words "prices at which like property is sold to" are substituted for the words "same price as is charged the".

In subsections (c) and (d), the words "other armed forces" are substituted for the words "Navy and Marine Corps", since such sales are authorized to members of the Coast Guard by section 144(b) of Title 14.

In subsection (d), the words "other than subsistence supplies" are inserted, since the sale of subsistence supplies is covered by subsection (c).

In subsection (e), the words "a person who has been discharged" are substituted for the words "discharged officers and enlisted men". The words "Navy * * * or Marine Corps", omitted from the 1952 edition of the United States Code, are inserted to conform to the source statute. The words "may buy" are substituted for the words "shall * * * be permitted to purchase". The words "at the prices at which like property is sold" are substituted for the words "at the same price as charged". The word "member" is substituted for the words "officers and enlisted men". The words "while undergoing such care and treatment" are omitted as surplusage.

In subsection (f), the words "person who has been discharged" are substituted for the words "former members * * * who have been separated therefrom". The words "at the prices at which like articles are sold to members" are inserted to conform to the last sentence of subsection (a) and subsection (e).

In subsection (g), the words "regulations to be prescribed by the Secretary" are substituted for the words "Army Regulations". The words "of the Government"

are omitted as surplusage. 10:1253 (last 22 words of 1st sentence) is omitted as surplusage. The words “or to another executive department of the Government” are omitted as superseded by section 7 of the act of May 21, 1920, ch. 194, as amended (31 U.S.C. 686). The provisions of 10:1253 relating to the computation of cost are omitted to reflect Title IV of the National Security Act of 1947, as amended (63 Stat. 585), which authorized the Secretary of Defense to prescribe regulations governing the use and sale of certain inventories at cost, including applicable administrative expenses. (See opinion of the Assistant General Counsel (Fiscal Matters) of the Office of the Secretary of Defense, January 4, 1955.)

In subsection (h), the word “outside” is substituted for the words “beyond the continental limitations”. The words “or in Alaska” are omitted, since, under section 101(1) of this title, the words “United States” are defined to include only the States and the District of Columbia. The word “continental”, after the words “within the”, is omitted for the same reason. The last sentence is substituted for 10:1241 (proviso).

In subsection (i), 10:1196 (last 30 words) is omitted as superseded by the Act of April 27, 1914, ch. 72 (last proviso under “Subsistence of the Army”), 38 Stat. 361. The words “So much of the” and “as may be necessary” are omitted as surplusage. The words “members * * * on active duty, for the use of themselves and their families” are substituted for the words “officers for the use of themselves and their families, and to commanders of companies or other organizations, for the use of the enlisted men of their companies or organizations”, to conform to 10:1237 and 1238. Those sections provide the basic authority for procurement and sale of subsistence supplies to all members. This interpretation conforms to established administrative practice under those sections. The word “supplies” is substituted for the word “stores”.

1962 ACT

The change corrects an internal reference.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-106, §375(b)(2)(A), substituted “The Secretary shall” for “The Air Force shall”.

Subsec. (f). Pub. L. 104-106, §375(b)(2)(B), inserted “or by commercial credit” before period at end.

1989—Subsec. (d). Pub. L. 101-189 substituted “Department of Veterans Affairs” for “Veterans’ Administration”.

1987—Subsecs. (b) to (i). Pub. L. 100-180 redesignated subsecs. (c) to (i) as (b) to (h), respectively, and struck out former subsec. (b) which read as follows: “Subsistence supplies may be sold to members of the Air Force. The selling price of each article sold under this subsection is the invoice price of the last lot of that article that the officer making the sale received before the first day of the month in which the sale is made. Activities conducted under this subsection shall be consistent with section 2208 of this title.”

1981—Subsec. (f). Pub. L. 97-22 struck out a comma after “section 772”.

1980—Subsec. (f). Pub. L. 96-513 struck out reference to section 8612 of this title.

1962—Subsecs. (a), (b). Pub. L. 87-651 substituted “section 2208 of this title” for “sections 172-172j 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.

§ 9622. Rations: commissioned officers in field

Commissioned officers of the Air Force serving in the field may buy rations for their own use, on credit. Amounts due for these purchases shall be reported monthly to the Secretary of the Air Force.

(Aug. 10, 1956, ch. 1041, 70A Stat. 580.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9622	10:1232.	R.S. 1145.

The words “at cost prices” are omitted to reflect Title IV of the National Security Act of 1947, as amended (63 Stat. 585), which authorized the Secretary of Defense to prescribe regulations governing the use and sale of certain inventories at cost, including applicable administrative expenses. (See opinion of the Assistant General Counsel (Fiscal Matters) of the Office of the Secretary of Defense, January 4, 1955.)

§ 9623. Repealed. Pub. L. 105-261, div. A, title III, § 366(a), Oct. 17, 1998, 112 Stat. 1987

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 580, related to sale of tobacco by Air Force to enlisted members.

§ 9624. Medical supplies: civilian employees of the Air Force; American National Red Cross; Armed Forces Retirement Home

(a) Under regulations to be prescribed by the Secretary of the Air Force, a civilian employee of the Department of the Air Force who is stationed at an air base may buy necessary medical supplies from the Air Force when they are prescribed by a medical officer on active duty.

(b) The Secretary may sell medical supplies to the American National Red Cross for cash.

(c) The Secretary may sell medical and hospital supplies to the Armed Forces Retirement Home.

(Aug. 10, 1956, ch. 1041, 70A Stat. 580; Pub. L. 96-513, title V, §514(17)(A), (B), Dec. 12, 1980, 94 Stat. 2936; Pub. L. 101-510, div. A, title XV, §1533(a)(8)(A), (B), Nov. 5, 1990, 104 Stat. 1735.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
9624(a)	10:1236.	Apr. 23, 1904, ch. 1485 (last proviso under “Medical Department”), 33 Stat. 273;
9624(b)	10:1254.	Mar. 2, 1905, ch. 1307 (last proviso under “Medical Department”), 33 Stat. 639.
9624(c)	24:58.	Mar. 4, 1915, ch. 143 (2d proviso under “Medical Department”), 38 Stat. 1080.
		June 4, 1897, ch. 2 (par. under “Soldiers’ Home, District of Columbia”), 30 Stat. 54; June 28, 1950, ch. 383, §402(d), 64 Stat. 272.

In subsection (a), the words “on active duty” are inserted for clarity.

In subsection (b), the words “rates of charge”, “to cover the cost of purchase, inspection, and so forth”, and “as can be spared without detriment to the military service” are omitted as surplusage. The words “the contract prices paid therefor” are omitted to reflect Title IV of the National Security Act of 1947, as amended (63 Stat. 585), which authorized the Secretary of Defense to prescribe regulations governing the use and sale of certain inventories, at cost, including applicable administrative expenses. (See opinion of the Assistant General Counsel (Fiscal Matters) of the Office of the Secretary of Defense, January 4, 1955.) The word “equipments” is omitted as covered by the word “supplies”.