

§ 8392. Disposition of effects

(a) If money or other personal property of a deceased member of the naval service is in the custody of the Department of the Navy, the Secretary of the Navy shall keep it in safe custody and make a diligent effort to determine and locate the heirs or next of kin of the deceased member. Property remaining unclaimed two years after the death of the member shall be sold, and the proceeds, together with any of his money held in custody, shall be covered into the Treasury.

(b) Within five years after the date the money and proceeds are covered into the Treasury, any claim that is presented therefor supported by competent proof shall be certified to Congress for consideration.

(c) The Secretary shall prescribe regulations for the administration of this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 419, § 6522; renumbered § 8392, Pub. L. 115-232, div. A, title VIII, § 807(b)(18), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised section, Source (U.S. Code), Source (Statutes at Large). Row 1: 6522, 34 U.S.C. 942, Mar. 29, 1918, ch. 31, 40 Stat. 499.

In subsection (a) the word "shall" is substituted for the words "authorized and directed"; the word "effort" is substituted for the word "inquiry"; the words "determine and locate" are substituted for the words "ascertain the whereabouts"; the words "personal property" are substituted for the words "all articles of value, papers, keepsakes, and other similar effects". The phrase "to the credit of the Navy pension fund" is omitted since this fund was abolished by § 9 of the Act of June 26, 1934, ch. 756, 48 Stat. 1229. The application of this section is confined to the money and other personal property of the deceased member in the custody of the Department of the Navy to make it clear that disposition is made only of property held by the Department of the Navy and not of property which may be under other custody, over which the Department of the Navy would have no control.

In subsection (b) the word "covered" is substituted for the word "deposited".

PRIOR PROVISIONS

Prior sections 8392 to 8396 were repealed by Pub. L. 103-337, div. A, title XVI, § 1629(c)(1), Oct. 5, 1994, 108 Stat. 2963, effective Oct. 1, 1996.

Section 8392, added Pub. L. 85-861, § 1(178)(C), Sept. 2, 1958, 72 Stat. 1531; amended Pub. L. 100-456, div. A, title XII, § 1234(a)(1), Sept. 29, 1988, 102 Stat. 2059, related to appointment of adjutant general or assistant adjutant general in reserve commissioned grade in which Federal recognition in Air National Guard was extended. See section 12215(b) of this title.

Section 8393, added Pub. L. 85-861, § 1(178)(C), Sept. 2, 1958, 72 Stat. 1531, provided that sea or foreign service not to be required for promotion of reserve commissioned officers in reserve grades.

Section 8394, act Aug. 10, 1956, ch. 1041, 70A Stat. 521, related to acceptance of promotion by officers of Air National Guard of United States or Air Force Reserve. See section 14309 of this title.

Section 8395, act Aug. 10, 1956, ch. 1041, 70A Stat. 521, related to appointment of reserve officers in time of war. See section 14317(e) of this title.

Section 8396, added Pub. L. 96-513, title II, § 206(b), Dec. 12, 1980, 94 Stat. 2884, provided that this chapter, except section 8353, did not apply to reserve officers on active-duty list.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6522 of this title as this section.

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.

PART III—EDUCATION AND TRAINING

Table with 2 columns: Chap., Sec. 851-859. Officer Procurement Programs, Training Generally, United States Naval Academy, United States Naval Postgraduate School, Retirement of Civilian Members of the Teaching Staffs of the United States Naval Academy and United States Naval Postgraduate School, Professional Military Education Schools.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 807(f)(2), Aug. 13, 2018, 132 Stat. 1838, redesignated items for chapters 601 to 609 as 851 to 859 and redesignated section numbers 6901 to 7101 as 8411 to 8591. Section numbers were conformed to the first section appearing in each chapter after renumbering by Pub. L. 115-232 to reflect the probable intent of Congress.

1998—Pub. L. 105-261, div. A, title V, § 521(b)(2), Oct. 17, 1998, 112 Stat. 2011, added item for chapter 602.

1991—Pub. L. 102-190, div. A, title X, § 1061(a)(27)(B), Dec. 5, 1991, 105 Stat. 1474, substituted "Education" for "Educational" in item for chapter 609.

1990—Pub. L. 101-510, div. A, title IX, § 912(b), Nov. 5, 1990, 104 Stat. 1627, added item for chapter 609.

CHAPTER 851—OFFICER PROCUREMENT PROGRAMS

Table with 2 columns: Sec., 8411-8415. Aviation cadets: grade; procurement; transfer. Aviation cadets: benefits. Aviation cadets: appointment as reserve officers. Reserve student aviation pilots; reserve aviation pilots: appointments in commissioned grade.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 807(e)(3), (f)(1), Aug. 13, 2018, 132 Stat. 1837, 1838, redesignated chapter 601 of this title as this chapter and items 6911 to 6913 and 6915 as 8411 to 8413 and 8415, respectively.

1980—Pub. L. 96-513, title V, § 503(52), Dec. 12, 1980, 94 Stat. 2915, struck out items 6909 "Direct procurement: qualifications; retention or transfer to Reserve" and 6914 "Reserve naval aviators: appointment in Regular Navy and Regular Marine Corps; eligibility; grade; rank".

1964—Pub. L. 88-647, title III, § 301(18), Oct. 13, 1964, 78 Stat. 1072, struck out items 6901 "Naval Reserve Officers' Training Corps: administration", 6902 "Transfer of graduates of Naval Reserve Officers' Training Corps to Regular Navy", 6903 "Officer candidate training program: administration; qualifications for enrollment", 6904 "Officer candidate training program: members enrolled from Naval Reserve Officers' Training Corps; appointment as midshipmen; pay; allowances; commissioning", 6905 "Officer candidate training program: members enrolled as naval aviation officer candidates;