

for sale to a law enforcement or other governmental agency or for a government-to-government sale or commercial export to a foreign government under the Arms Export Control Act (22 U.S.C. 2751).

(d) DEFINITION.—In this section, the term “armor-piercing ammunition” means a center-fire cartridge the military designation of which includes the term “armor penetrator” or “armor-piercing”, including a center-fire cartridge designated as armor-piercing incendiary (API) or armor-piercing incendiary-tracer (API-T).

(Added Pub. L. 106-398, §1 [[div. A], title III, §382(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-85, §4688; renumbered §7688, Pub. L. 115-232, div. A, title VIII, §808(d), Aug. 13, 2018, 132 Stat. 1839.)

#### REFERENCES IN TEXT

The Arms Export Control Act, referred to in subsec. (c), is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320, as amended, which is classified principally to chapter 39 (§2751 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of Title 22 and Tables.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4688 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.

#### EFFECTIVE DATE

Pub. L. 106-398, §1 [[div. A], title III, §382(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-85, provided that: “Section 4688 [now 7688] of title 10, United States Code, as added by subsection (a), shall apply with respect to any disposal of ammunition or components referred to in that section after the date of the enactment of this Act [Oct. 30, 2000].”

### § 7689. Transfer of material and equipment to the Architect of the Capitol

The Secretary of the Army is authorized to transfer, without payment, to the Architect of the Capitol, such material and equipment, not required by the Department of the Army, as the Architect may request for use at the Capitol power plant, the Capitol, and the Senate and House Office Buildings.

(Added Pub. L. 107-217, §2(1), Aug. 21, 2002, 116 Stat. 1294, §4689; amended Pub. L. 108-375, div. A, title X, §1084(d)(29), Oct. 28, 2004, 118 Stat. 2063; renumbered §7689, Pub. L. 115-232, div. A, title VIII, §808(d), Aug. 13, 2018, 132 Stat. 1839.)

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4689 of this title as this section.

2004—Pub. L. 108-375 struck out “Building” after “Capitol power plant, the Capitol”.

#### 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.

### § 7690. Recyclable munitions materials: sale; use of proceeds

(a) AUTHORITY FOR PROGRAM.—Notwithstanding section 2577 of this title, the Secretary of the Army may carry out a program to sell recyclable munitions materials resulting from the demilitarization of conventional military munitions without regard to chapter 5 of title 40 and use any proceeds in accordance with subsection (c).

(b) METHOD OF SALE.—The Secretary shall use competitive procedures to sell recyclable munitions materials under this section in a manner consistent with Federal procurement laws and regulations.

(c) PROCEEDS.—(1) Proceeds from the sale of recyclable munitions materials under this section shall be credited to an account that is specified as being for Army ammunition demilitarization from funds made available for the procurement of ammunition, to be available only for reclamation, recycling, and reuse of conventional military munitions (including research and development and equipment purchased for such purpose).

(2) Amounts credited under this subsection shall be available for obligation for the fiscal year during which the funds are so credited and for three subsequent fiscal years.

(d) REGULATIONS.—The Secretary shall prescribe regulations to carry out the program established under this section. Such regulations shall be consistent and in compliance with the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) and the regulations implementing that Act.

(Added Pub. L. 109-364, div. A, title III, §353(a), Oct. 17, 2006, 120 Stat. 2161, §4690; renumbered §7690, Pub. L. 115-232, div. A, title VIII, §808(d), Aug. 13, 2018, 132 Stat. 1839.)

#### REFERENCES IN TEXT

The Solid Waste Disposal Act, referred to in subsec. (d), is title II of Pub. L. 89-272, Oct. 20, 1965, 79 Stat. 997, as amended generally by Pub. L. 94-580, §2, Oct. 21, 1976, 90 Stat. 2795, which is classified generally to chapter 82 (§6901 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 6901 of Title 42 and Tables.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4690 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.

### CHAPTER 775—DISPOSITION OF EFFECTS OF DECEASED PERSONS; CAPTURED FLAGS

- Sec.  
7712. Disposition of effects of deceased persons by summary court-martial.
7714. Collection of captured flags, standards, and colors.

#### AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §808(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter

445 of this title as this chapter and items 4712 and 4714 as 7712 and 7714, respectively.

1999—Pub. L. 106-65, div. A, title VII, §721(c)(3), (5), Oct. 5, 1999, 113 Stat. 694, 695, substituted “DISPOSITION” for “INQUESTS; DISPOSITION” in chapter heading and struck out item 4711 “Inquests”.

1990—Pub. L. 101-510, div. A, title XV, §1533(a)(7)(B), Nov. 5, 1990, 104 Stat. 1734, struck out item 4713 “Disposition of effects of deceased persons by Soldiers’ and Airmen’s Home”.

1980—Pub. L. 96-513, title V, §512(21)(C), Dec. 12, 1980, 94 Stat. 2930, inserted “and Airmen’s” after “Soldiers’” in item 4713.

**§ 7712. 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 Army; or

(2) a resident of the Armed Forces Retirement Home who dies in an Army 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 in camp or 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 in camp or 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 the extent permitted by money of the deceased in the court’s possession, and shall take receipts for those payments, to be filed with the court’s final report to the Department of the Army.

(d) As soon as practicable after the collection of the effects and money of the deceased, the summary court-martial shall send them at the expense of the United States to the living person highest on the following list who can be found by the court:

- (1) The surviving spouse or legal representative.
- (2) A child of the deceased.
- (3) A parent of the deceased.
- (4) A brother or sister of the deceased.
- (5) The next-of-kin of the deceased.
- (6) A beneficiary named in the will of the deceased.

(e) If the summary court-martial cannot dispose of the effects under subsection (d) because there are no persons in those categories or because the court finds that the addresses of the persons are not known or readily ascertainable, the court may convert the effects of the deceased, except sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes, into cash, by public or private sale, but not until 30 days after the date of death of the deceased.

(f) As soon as practicable after the effects have been converted into cash under subsection (e), the summary court-martial shall deposit all cash in the court’s possession and belonging to the estate with the officer designated in regula-

tions, and shall send a receipt therefor, together with any will or other papers of value, an inventory of the effects, and articles not permitted to be sold, to the executive part of the Department of the Army. The Secretary of the Army shall deliver to the Armed Forces Retirement Home all items received by the executive part of the Department of the Army under this subsection.

(Aug. 10, 1956, ch. 1041, 70A Stat. 264, §4712; Pub. L. 89-718, §30, Nov. 2, 1966, 80 Stat. 1119; Pub. L. 96-513, title V, §512(20), Dec. 12, 1980, 94 Stat. 2930; Pub. L. 99-145, title XIII, §1301(b)(4)(A), Nov. 8, 1985, 99 Stat. 736; Pub. L. 101-510, div. A, title XV, §1533(a)(6), Nov. 5, 1990, 104 Stat. 1734; Pub. L. 104-316, title II, §202(g), Oct. 19, 1996, 110 Stat. 3842; renumbered §7712, Pub. L. 115-232, div. A, title VIII, §808(d), Aug. 13, 2018, 132 Stat. 1839.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4712(a) .....	5:150j (words before 1st semicolon of 1st par.; and last par.).	June 4, 1920, ch. 227, subch. II, §1 (Art. 112), 41 Stat. 809; May 5, 1950, ch. 169, § 6(c), 64 Stat. 145.
4712(b) .....	5:150j (22 words after 1st semicolon of 1st par.).	
4712(c) .....	5:150j (words between 1st and 2d semicolons of 1st par., less 1st 22 words).	
4712(d) .....	5:150j (words between 2d and 3d semicolons of 1st par.).	
4712(e) .....	5:150j (words between 3d and 4th semicolons of 1st par.).	
4712(f) .....	5:150j (1st par., less words before 4th semicolon, and less last 40 words).	
4712(g) .....	5:150j (last 40 words of 1st par.).	

In subsection (a), the words “the court-martial jurisdiction of the Army or the Air Force at a place or command under the jurisdiction of the Army” are substituted for the words “military law”, to reflect the creation of a separate Air Force. Clause (2) is substituted for 5:150j (last par.).

In subsections (a), (b), and (d), the words “surviving spouse” are substituted for the word “widow”.

In subsection (c), the word “may” is substituted for the words “shall have authority to”. The words “to the extent permitted” are substituted for the words “in so far as \* \* \* will permit”. The words “under this article” and “upon its transactions” are omitted as surplusage.

In subsection (d), the words “through the Quartermaster Corps” are omitted, since the functions are no longer lodged in the Quartermaster Corps. The words “if such be found by said court” are omitted as surplusage. The words “United States” are substituted for the word “Government”. 5:150j (19 words before 3d semicolon of 1st par.) is omitted as covered by subsection (g).

In subsection (e), the first 37 words are substituted for 5:150j (33 words after 3d semicolon of 1st par.). The word “may” is substituted for the words “shall have the authority”.

In subsection (f), the words “Soldiers’ Home” are inserted, since, as provided in section 4713 of this title, the Home is now the place where the mentioned articles are sent.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4712 of this title as this section.

1996—Subsec. (g). Pub. L. 104-316 struck out subsec. (g) which read as follows: “The summary court-martial shall make a full report of the transactions under this section, with respect to the deceased, to the Department of the Army for transmission to the General Ac-