

(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 975—DISPOSITION OF EFFECTS OF DECEASED PERSONS

Sec.

[9711.	Repealed.]
9712.	Disposition of effects of deceased persons by summary court-martial.
[9713.	Repealed.]

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 945 of this title as this chapter.

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 the Space 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 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 Air Force.

(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-