

(Aug. 10, 1956, ch. 1041, 70A Stat. 271, §4804; Pub. L. 92-417, §1(3), Aug. 29, 1972, 86 Stat. 654; renumbered §7804, 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) |
|-----------------|--------------------|---|
| 4804 | 10:1863. | Oct. 20, 1951, ch. 524, §3, 65 Stat. 573. |

The words “under this section” are substituted for the words “for salvage services rendered”. The words “consider, ascertain, adjust, determine” are omitted as covered by the word “settle”, as defined in section 4801 of this title. The words “and receive payment of” are inserted for clarity and to conform to section 4803 of this title. The words “as miscellaneous receipts” are omitted as surplusage.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4804 of this title as this section.

1972—Pub. L. 92-417 designated existing provisions as subsec. (a), struck out requirement that the Secretary of the Army discharge his functions under the direction of the Secretary of Defense, and added subsec. (b).

Statutory Notes and Related Subsidiaries

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.

§ 7806. Settlement or compromise: final and conclusive

Notwithstanding any other provision of law, upon acceptance of payment the settlement or compromise of a claim under section 7802 or 7803 of this title is final and conclusive.

(Aug. 10, 1956, ch. 1041, 70A Stat. 272, §4806; renumbered §7806 and amended Pub. L. 115-232, div. A, title VIII, §§808(d), 809(a), Aug. 13, 2018, 132 Stat. 1839, 1840.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|---|--|
| 4806 | 10:1861 (35 words before 1st proviso). 10:1862 (last 32 words of 2d sentence). | Oct. 20, 1951, ch. 524, §1 (35 words before 1st proviso), 2 (last 32 words of 2d sentence), 65 Stat. 572, 573. |

The words “for all purposes” and “to the contrary”, in 10:1861 and 1862; “by the claimant and not until then”, in 10:1861; and “but not until then”, in 10:1862; are omitted as surplusage.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232, §809(a), substituted “section 7802 or 7803” for “section 4802 or 4803”.

Pub. L. 115-232, §808(d), renumbered section 4806 of this title as this section.

Statutory Notes and Related Subsidiaries

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 783—ACCOUNTABILITY AND RESPONSIBILITY

- Sec. 7831. Custody of departmental records and property.
- 7837. Settlement of accounts: remission or cancellation of indebtedness of members.
- 7838. Settlement of accounts: affidavit of company commander.
- 7839. Settlement of accounts: oaths.
- 7840. Final settlement of officer’s accounts.
- 7841. Payment of small amounts to public creditors.
- 7842. Settlement of accounts of line officers.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §808(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 453 of this title as this chapter and items 4831 to 4842 as 7831 to 7842, respectively.

2008—Pub. L. 110-181, div. A, title III, §375(c)(2)(A), Jan. 28, 2008, 122 Stat. 84, struck out items 4832 “Property accountability: regulations” and 4836 “Individual equipment: unauthorized disposition”.

2006—Pub. L. 109-163, div. A, title VI, §683(a)(2), Jan. 6, 2006, 119 Stat. 3322, struck out “enlisted” before “members” in item 4837.

2002—Pub. L. 107-314, div. A, title X, §1006(c)(2), Dec. 2, 2002, 116 Stat. 2633, struck out item 4835 “Reports of survey”.

1982—Pub. L. 97-258, §2(b)(10)(A), Sept. 13, 1982, 96 Stat. 1056, added items 4841 and 4842.

1980—Pub. L. 96-513, title V, §512(24)(C), Dec. 12, 1980, 94 Stat. 2931, substituted “remission or cancellation of indebtedness of enlisted members” for “deductions from pay” in item 4837.

1972—Pub. L. 92-310, title II, §204(b), June 6, 1972, 86 Stat. 202, struck out item 4834 “Fidelity bonds: accountable officers; Quartermaster Corps”.

1962—Pub. L. 87-480, §1(3), June 8, 1962, 76 Stat. 94, struck out item 4833 “Accountability for public money: disbursing officers; agent officers”.

§ 7831. Custody of departmental records and property

The Secretary of the Army has custody and charge of all books, records, papers, furniture, fixtures, and other property under the lawful control of the executive part of the Department of the Army.

(Aug. 10, 1956, ch. 1041, 70A Stat. 272, §4831; renumbered §7831, 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) |
|-----------------|--------------------|----------------------------|
| 4831 | 5:191. | R.S. 217. |

The words “under the lawful control of the executive part of the Department of the Army” are substituted for the words “appertaining to the Department”.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4831 of this title as this section.

Statutory Notes and Related Subsidiaries

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.

§ 7837. Settlement of accounts: remission or cancellation of indebtedness of members

(a) IN GENERAL.—The Secretary of the Army may have remitted or cancelled any part of the indebtedness of a person to the United States or any instrumentality of the United States incurred while the person was serving as a member of the Army, whether as a regular or a reserve in active status, but only if the Secretary considers such action to be in the best interest of the United States.

(b) RETROACTIVE APPLICABILITY TO CERTAIN DEBTS.—The authority in subsection (a) may be exercised with respect to any debt covered by that subsection that is incurred on or after October 7, 2001.

(c) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense.

(Aug. 10, 1956, ch. 1041, 70A Stat. 273, § 4837; Pub. L. 85-861, § 33(a)(27), Sept. 2, 1958, 72 Stat. 1566; Pub. L. 87-649, § 14c(10), Sept. 7, 1962, 76 Stat. 501; Pub. L. 96-513, title V, § 512(24)(A), (B), Dec. 12, 1980, 94 Stat. 2930; Pub. L. 109-163, div. A, title VI, § 683(a)(1), Jan. 6, 2006, 119 Stat. 3322; Pub. L. 109-364, div. A, title VI, § 673(a)(1), (2), (e)(1), Oct. 17, 2006, 120 Stat. 2271, 2272; Pub. L. 110-181, div. A, title X, § 1063(c)(7)(A), Jan. 28, 2008, 122 Stat. 323; Pub. L. 114-328, div. A, title VI, § 671(b)(1), Dec. 23, 2016, 130 Stat. 2173; renumbered § 7837, Pub. L. 115-232, div. A, title VIII, § 808(d), Aug. 13, 2018, 132 Stat. 1839.)

HISTORICAL AND REVISION NOTES 1956 ACT

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------------------------|---|
| 4837(a) | 10:875. | R.S. 1300. |
| | 10:875b. | R.S. 1301. |
| 4837(b) | 10:875a (less 3d and last provisos). | May 22, 1928, ch. 676, 45 Stat. 698; June 26, 1934, ch. 751, 48 Stat. 1222. |
| 4837(c) | 10:875a (last proviso). | |
| 4837(d) | 10:875a (3d proviso). | |
| 4837(e) | 10:871. | R.S. 1303. |
| 4837(f) | 10:872. | R.S. 1304. |
| 4837(g) | 10:875c. | R.S. 1299. |

In subsection (a), the words “sold to the member on credit under section 4621(a)(1) of this title” are substituted for the words “articles designated by the inspectors general of the Army, and sold to him on credit by officers of the Quartermaster Corps”, in 10:875. The words “at cost prices” are omitted to reflect section 4623 of this title.

In subsection (b), the last sentence is substituted for 10:875a (1st and 2d provisos). The words “on current payrolls” are omitted as surplusage.

In subsection (c), the words “Subject to subsection (b)” are substituted for the words “in the proportions hereinbefore indicated”.

In subsection (d), the words “If he considers it in the best interest of the United States” are substituted for the words “when in his opinion the interests of the Government are best served by such action”. The words “before, or at the time of” are substituted for the words “either on * * * or prior thereto”.

In subsection (e), the words “member” and “his” are substituted for the words “officer or soldier”. The words “or implement” are omitted as surplusage.

In subsection (f), the words “or if an article of military supply with whose issue a commissioned officer is charged is damaged” are substituted for 10:872 (last sentence). The words “that he was not at fault” are substituted for the words “that said deficiency [such damage] was not occasioned by any fault on his part”.

In subsection (g), the words “bought on credit under section 4621(a)(1) of this title” are substituted for the words “designated by the officers of the Inspector-General’s Department of the Army and purchased on credit from commissaries of subsistence”.

1958 ACT

The change [in subsec. (b)] reflects the opinion of the Judge Advocate General of the Air Force (June 10, 1957) that the term “rate of pay”, as used in the source law for section 4837(b) (Act of May 22, 1928, ch. 676 (45 Stat. 698), as amended), included special pay and incentive pay.

The change [in subsec. (f)] reflects the opinion of the Assistant General Counsel (Fiscal Matters), Department of Defense (July 19, 1957), that section 1304, Revised Statutes (formerly 10 U.S.C. 872), the source law for this section, applied to warrant officers as well as to commissioned officers.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4837 of this title as this section.

2016—Subsec. (a). Pub. L. 114-328 substituted “as a member of the Army, whether as a regular or a reserve in active status” for “on active duty as a member of the Army”.

2008—Subsec. (a). Pub. L. 110-181 made technical correction to directory language of Pub. L. 109-364, § 673(a)(1). See 2006 Amendment note below.

2006—Pub. L. 109-163 amended section catchline and text generally. Prior to amendment, text read as follows: “If he considers it in the best interest of the United States, the Secretary may have remitted or cancelled any part of an enlisted member’s indebtedness to the United States or any of its instrumentalities remaining unpaid before, or at the time of, that member’s honorable discharge.”

Subsec. (a). Pub. L. 109-364, § 673(e)(1), substituted “The Secretary of the Army” for “If the Secretary considers it to be in the best interest of the United States, the Secretary” and inserted “, but only if the Secretary considers such action to be in the best interest of the United States” before period at end.

Pub. L. 109-364, § 673(a)(1), as amended by Pub. L. 110-181, substituted “of a person to the United States or any instrumentality of the United States incurred while the person was serving on active duty as a member of the Army” for “of a member of the Army on active duty, or a member of a reserve component of the Army in an active status, to the United States or any instrumentality of the United States incurred while the member was serving on active duty”.

Subsecs. (b) to (d). Pub. L. 109-364, § 673(a)(2), redesignated subsecs. (c) and (d) as (b) and (c), respectively, and struck out heading and text of former subsec. (b). Text read as follows: “The Secretary may exercise the authority in subsection (a) with respect to a member—

“(1) while the member is on active duty or in active status, as the case may be;

“(2) if discharged from the armed forces under honorable conditions, during the one-year period beginning on the date of such discharge; or

“(3) if released from active status in a reserve component, during the one-year period beginning on the date of such release.”

1980—Pub. L. 96-513, substituted “remission or cancellation of indebtedness of enlisted members” for “de-