

operational requirements currently being met by the Marine Mammal Program, including a detailed explanation of such capability and quantity;

“(2) achieved initial operational capability of all capabilities referred to in paragraph (1), including a detailed explanation of such achievement; and

“(3) deployed a sufficient quantity of capabilities referred to in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all operational requirements currently being met by Marine Mammal Program, including a detailed explanation of such deployment.”

**§ 8755. Disclosures for offerors for certain shipbuilding major defense acquisition program contracts**

(a) IN GENERAL.—Any covered offeror seeking to be awarded a shipbuilding construction contract as part of a major defense acquisition program with funds from the Shipbuilding and Conversion, Navy account shall disclose along with the offer and any subsequent revisions of the offer (including the final proposal revision offer) if any part of the planned contract performance will or is expected to include foreign government subsidized performance, foreign financing, foreign financial guarantees, or foreign tax concessions.

(b) REQUIREMENTS.—A disclosure required under subsection (a) shall be made in a form prescribed by the Secretary of the Navy and shall include a specific description of the extent to which the planned contract performance will include, with or without contingencies, any foreign government subsidized performance, foreign financing, foreign financial guarantees, or foreign tax concessions.

(c) CONGRESSIONAL NOTIFICATION.—Not later than 5 days after awarding a contract described under subsection (a), the Secretary of the Navy shall notify the congressional defense committees and summarize the disclosure provided under such subsection.

(d) DEFINITIONS.—In this section:

(1) COVERED OFFEROR.—The term “covered offeror” means any offeror that requires or may reasonably be expected to require, during the period of performance on a shipbuilding construction contract described in subsection (a), a method to mitigate or negate foreign ownership under section 2004.34(f)(6) of title 32, Code of Federal Regulations.

(2) FOREIGN GOVERNMENT SUBSIDIZED PERFORMANCE.—The term “foreign government subsidized performance” means any financial support, materiel, services, or guarantees of support, services, supply, performance, or intellectual property concessions, that may be provided to or for the covered offeror or the customer of the offeror by a foreign government or entity effectively owned or controlled by a foreign government, which may have the effect of supplementing, supplying, servicing, or reducing the cost or price of an end item, or supporting, financing in whole or in part, or guaranteeing contract performance by the offeror.

(3) MAJOR DEFENSE ACQUISITION PROGRAM.—The term “major defense acquisition program” has the meaning given the term in section 4201 of this title.

(Added Pub. L. 116–283, div. A, title VIII, §803(a), Jan. 1, 2021, 134 Stat. 3734, §2339c; renumbered

§8755 and amended Pub. L. 117–81, div. A, title XVII, §1701(e)(1)(A), Dec. 27, 2021, 135 Stat. 2138.)

**Editorial Notes**

AMENDMENTS

2021—Pub. L. 117–81 renumbered section 2339c of this title as this section and substituted “section 4201” for “section 2430” in subsec. (d)(3).

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117–81, which renumbered section 2339c of this title as this section, deemed to have taken effect immediately before section 1881 of Pub. L. 116–283, subsec. (a) of which had repealed chapter 137 of this title, where section 2339c of this title was located. See section 881(a) of Pub. L. 117–263, set out as a note under section 4027 of this title.

**CHAPTER 875—DISPOSAL OF OBSOLETE OR SURPLUS MATERIAL**

Sec.

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|--------|---|
| 8761.  | Obsolete and other material: gift or sale to Boy Scouts of America, Naval Sea Cadet Corps and Young Marines of the Marine Corps League. |
| 8761a. | Uniform clothing: sale to Naval Sea Cadet Corps.  |
| 8761b. | Authority to make grants for purposes of Naval Sea Cadet Corps.   |
| 8762.  | Excess clothing: sale for distribution to needy.  |
| 8763.  | Useless ordnance material: disposition of proceeds on sale.   |
| 8764.  | Devices and trophies: transfer to other agencies.   |
| 8765.  | Obsolete material and articles of historical interest: loan or gift.  |
| 8766.  | Loan or gift of articles to ships' sponsors and donors.   |
| 8767.  | Equipment for instruction in seamanship: loan to military schools.  |

**Editorial Notes**

PRIOR PROVISIONS

A prior chapter 875, consisting of section 9061, related to miscellaneous investigation requirements and other duties, prior to renumbering as chapter 949 of this title.

AMENDMENTS

2018—Pub. L. 115–232, div. A, title VIII, §807(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1838, redesignated chapter 647 of this title as this chapter and items 7541 to 7547 as 8761 to 8767, respectively.

2009—Pub. L. 111–84, div. A, title V, §592(b), Oct. 28, 2009, 123 Stat. 2337, added item 7541b.

1975—Pub. L. 93–628, §1(b), Jan. 3, 1975, 88 Stat. 2148, inserted “, Naval Sea Cadet Corps and Young Marines of the Marine Corps League” in item 7541.

1965—Pub. L. 89–266, §1(2), Oct. 19, 1965, 79 Stat. 990, added item 7541a.

**§ 8761. Obsolete and other material: gift or sale to Boy Scouts of America, Naval Sea Cadet Corps and Young Marines of the Marine Corps League**

Subject to regulations under section 121 of title 40, the Secretary of the Navy may—

- (1) give obsolete material not needed for naval purposes; and
- (2) sell other material that may be spared at a price representing its fair value;

to the Boy Scouts of America for the sea scouts, to the Naval Sea Cadet Corps for the sea cadets, and to the Young Marines of the Marine Corps League for the young marines. The cost of transportation and delivery of material given or sold under this section shall be charged to the Boy Scouts of America, to the Naval Sea Cadets, or to the Young Marines of the Marine Corps League, as the case may be.

(Aug. 10, 1956, ch. 1041, 70A Stat. 465, §7541; Pub. L. 93-628, §1, Jan. 3, 1975, 88 Stat. 2147; Pub. L. 96-513, title V, §513(39), Dec. 12, 1980, 94 Stat. 2934; Pub. L. 107-217, §3(b)(31), Aug. 21, 2002, 116 Stat. 1297; renumbered §8761, Pub. L. 115-232, div. A, title VIII, §807(d)(8), Aug. 13, 2018, 132 Stat. 1836.)

#### HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7541 .....	34 U.S.C. 546b.	Mar. 1, 1929, ch. 429, 45 Stat. 1430; Oct. 31, 1951, ch. 654, §2(21), 65 Stat. 707.

The word “give” is substituted for the words “dispose of without charge”; the words “naval purposes” are substituted for the words “the Navy”; and the word “sell” is substituted for the words “dispose of \* \* \* at prices”. The words “to the Navy” are omitted as surplusage. Since the corporate name of the organization is “Boy Scouts of America”, that name is used to designate the transferee in lieu of words “sea scout department”, and the words “for the sea scouts” are added.

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7541 of this title as this section.

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)” in introductory provisions.

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”.

1975—Pub. L. 93-628 inserted “Naval Sea Cadet Corps and Young Marines of the Marine Corps League” in section catchline, and authorized the Secretary of the Navy to gift obsolete materials and to sell surplus materials to the Naval Sea Cadet Corps and the Young Marines of the Marine Corps League with the requirement that the cost of transportation and delivery of such materials be charged to the recipient.

#### 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.

##### 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.

##### EFFECTIVE DATE OF 1975 AMENDMENT

Pub. L. 93-628, §2, Jan. 3, 1975, 88 Stat. 2148, provided that: “The amendments made by the first section [amending this section] shall take effect on the date of the enactment of this Act [Jan. 3, 1975].”

#### § 8761a. Uniform clothing: sale to Naval Sea Cadet Corps

Subject to regulations under section 121 of title 40, the Secretary of the Navy, under regulations prescribed by him, may sell any item of enlisted naval uniform clothing that may be spared, at a price representing its fair value, to the Naval Sea Cadet Corps for the sea cadets and to any Federal or State maritime academy having a department of naval science for the maritime cadets and midshipmen. The cost of transportation and delivery of items sold under this section shall be charged to the Naval Sea Cadet Corps and to such Federal and State maritime academies.

(Added Pub. L. 89-266, §1(1), Oct. 19, 1965, 79 Stat. 990, §7541a; amended Pub. L. 96-513, title V, §513(39), Dec. 12, 1980, 94 Stat. 2934; Pub. L. 107-217, §3(b)(32), Aug. 21, 2002, 116 Stat. 1297; renumbered §8761a, Pub. L. 115-232, div. A, title VIII, §807(d)(8), Aug. 13, 2018, 132 Stat. 1836.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7541a of this title as this section.

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”.

#### 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.

##### 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.

#### § 8761b. Authority to make grants for purposes of Naval Sea Cadet Corps

Subject to the availability of funds for this purpose, the Secretary of the Navy may make grants to support the purposes of Naval Sea Cadet Corps, a federally chartered corporation under chapter 1541 of title 36.

(Added Pub. L. 111-84, div. A, title V, §592(a), Oct. 28, 2009, 123 Stat. 2337, §7541b; renumbered §8761b, Pub. L. 115-232, div. A, title VIII, §807(d)(8), Aug. 13, 2018, 132 Stat. 1836.)

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7541b 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