

ent with the needs of the Department of the Army and the goals and purposes of the ARMS Initiative; and

(B) use procedures that are authorized to be used under section 2304(c)(5) of this title when the contractor or subcontractor is a source specified in law.

(b) CONSIDERATION FOR USE.—(1) To the extent provided in a contract entered into under this section for the use of property at an eligible facility that is accountable under the contract, the Secretary may accept consideration for such use that is, in whole or in part, in a form other than—

- (A) rental payments; or
- (B) revenue generated at the facility.

(2) Forms of consideration acceptable under paragraph (1) for a use of an eligible facility or any property at an eligible facility include the following:

- (A) The improvement, maintenance, protection, repair, and restoration of the facility, the property, or any property within the boundaries of the installation where the facility is located.
- (B) Reductions in overhead costs.
- (C) Reductions in product cost.
- (D) The demilitarization and storage of conventional ammunition.

(3) The authority under paragraph (1) may be exercised without regard to section 3302(b) of title 31 and any other provision of law.

(Added Pub. L. 106-398, §1 [[div. A], title III, §344(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-69; amended Pub. L. 109-163, div. A, title III, §323(b), Jan. 6, 2006, 119 Stat. 3194.)

AMENDMENTS

2006—Subsec. (b)(2)(D). Pub. L. 109-163 added subpar. (D).

IMPLEMENTATION REPORT

Pub. L. 106-398, §1 [[div. A], title III, §344(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-71, provided that, not later than July 1, 2001, the Secretary of Defense was to submit to the congressional defense committees a report on the procedures and controls implemented to carry out this section.

**§ 4555. ARMS Initiative loan guarantee program**

(a) PROGRAM AUTHORIZED.—Subject to subsection (b), the Secretary may carry out a loan guarantee program to encourage commercial firms to use eligible facilities under this chapter. Under any such program, the Secretary may guarantee the repayment of any loan made to a commercial firm to fund, in whole or in part, the establishment of a commercial activity to use an eligible facility under this chapter.

(b) ADVANCED BUDGET AUTHORITY.—Loan guarantees under this section may not be committed except to the extent that appropriations of budget authority to cover their costs are made in advance, as required by section 504 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c).

(c) PROGRAM ADMINISTRATION.—(1) The Secretary may enter into an agreement with any of the officials named in paragraph (2) under which that official may, for the purposes of this section—

- (A) process applications for loan guarantees;
- (B) guarantee repayment of loans; and
- (C) provide any other services to the Secretary to administer the loan guarantee program.

(2) The officials referred to in paragraph (1) are as follows:

- (A) The Administrator of the Small Business Administration.
- (B) The head of any appropriate agency in the Department of Agriculture, including—
  - (i) the Administrator of the Farmers Home Administration; and
  - (ii) the Administrator of the Rural Development Administration.

(3) Each official authorized to do so under an agreement entered into under paragraph (1) may guarantee loans under this section to commercial firms of any size, notwithstanding any limitations on the size of applicants imposed on other loan guarantee programs that the official administers.

(4) To the extent practicable, each official processing loan guarantee applications under this section pursuant to an agreement entered into under paragraph (1) shall use the same processing procedures as the official uses for processing loan guarantee applications under other loan guarantee programs that the official administers.

(d) LOAN LIMITS.—The maximum amount of loan principal guaranteed during a fiscal year under this section may not exceed—

- (1) \$20,000,000, with respect to any single borrower; and
- (2) \$320,000,000 with respect to all borrowers.

(e) TRANSFER OF FUNDS.—The Secretary may transfer to an official providing services under subsection (c), and that official may accept, such funds as may be necessary to administer the loan guarantee program under this section.

(Added Pub. L. 106-398, §1 [[div. A], title III, §344(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-70.)

**CHAPTER 435—ISSUE OF SERVICEABLE MATERIAL TO ARMED FORCES**

Sec. 4561. 4562. 4563. 4564. 4565.	Rations. Clothing. Clothing: replacement when destroyed to prevent contagion. Navy and Marine Corps: camp equipment and transportation; when on shore duty with Army. Colors, standards, and guidons of demobilized organizations: disposition.
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**§ 4561. Rations**

(a) The President may prescribe the components, and the quantities thereof, of the Army ration. He may direct the issue of equivalent articles in place of the prescribed components whenever, in his opinion, economy and the health and comfort of the members of the Army so require.

(b) Under the direction of the Secretary of the Army, the branch, office, or officer designated by him shall issue the components of the Army ration.

(c) An enlisted member of the Army on active duty is entitled to one ration daily. The emer-

gency ration, when issued, is in addition to the regular ration.

(d) Fresh or preserved fruits, milk, butter, and eggs necessary for the proper diet of the sick in hospitals shall be provided under regulations prescribed by the Surgeon General and approved by the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 255.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4561(a) .....	10:724.	R.S. 1141 (as applicable to issue); June 28, 1950, ch. 383, § 402(a), 64 Stat. 272.
4561(b) .....	10:1195a (as applicable to issue).	Feb. 2, 1901, ch. 192, § 40, 31 Stat. 758.
4561(c) .....	10:716b.	R.S. 1293; July 16, 1892, ch. 195 (last 15 words before proviso under "Subsistence of the Army"), 27 Stat. 178.
4561(d) .....	10:725.	Mar. 2, 1907, ch. 2511 (1st proviso under "Subsistence Department"), 34 Stat. 1165.
	10:726.	R.S. 1175.

In subsection (a), the words "the components, and the quantities thereof" are substituted for the words "the kinds and quantities of the component articles". The words "substitutive" and "a due regard" are omitted as surplusage.

In subsection (b), the words "the components of the Army ration" are substituted for the words "such supplies as enter into the composition of the ration".

In subsection (c), the words "on active duty" are inserted for clarity. The words "under such regulations as may be prescribed by the Secretary of the Army", in 10:725, are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory functions. The words "or reserve", "prescribed for use on emergent occasions", and "furnished", in 10:725, are omitted as surplusage.

In subsection (d), the words "Such quantities of" and "may be allowed" are omitted as surplusage.

DELEGATION OF AUTHORITY

Authority of President under subsec. (a) of this section to prescribe uniform military ration applicable to Army delegated to Secretary of Defense by section 3(a) of Ex. Ord. No. 12781, Nov. 20, 1991, 56 F.R. 59203, set out as a note under section 301 of Title 3, The President.

§ 4562. Clothing

The President may prescribe the quantity and kind of clothing to be issued annually to members of the Army.

(Aug. 10, 1956, ch. 1041, 70A Stat. 256.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4562 .....	10:831.	R.S. 1296 (less 1st 9 words).

The words "members of the Army" are substituted for the words "troops of the United States".

§ 4563. Clothing: replacement when destroyed to prevent contagion

Upon the recommendation of the Surgeon General, the Secretary of the Army may order a gratuitous issue of clothing to any enlisted member of the Army who has had a contagious disease, and to any hospital attendant who at-

tended him while he had that disease, to replace clothing destroyed by order of an officer of the Medical Corps to prevent contagion.

(Aug. 10, 1956, ch. 1041, 70A Stat. 256.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4563 .....	10:834.	R.S. 1298.

The words "enlisted member" are substituted for the word "soldiers". The words "any articles of their" are omitted as surplusage. The words "while he had that disease" are inserted for clarity. The words "an officer of the Medical Corps" are substituted for the words "proper medical officers".

§ 4564. Navy and Marine Corps: camp equipment and transportation; when on shore duty with Army

While any detachment of the Navy or Marine Corps is on shore duty in cooperation with troops of the Army, the officer of the Army designated by the Secretary of the Army shall, upon the requisition of the officer of the Navy or Marine Corps in command of the detachment, issue rations and camp equipment, and furnish transportation, to that detachment.

(Aug. 10, 1956, ch. 1041, 70A Stat. 256.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4564 .....	10:1259d. 10:1259e. 34:541.	R.S. 1143; June 28, 1950, ch. 383, § 402(a), 64 Stat. 272. R.S. 1135; June 28, 1950, ch. 383, § 402(a), 64 Stat. 272.

The words "While \* \* \* on shore duty" are substituted for the words "under orders to act on shore", in 10:1259d and 1259e, and 34:541. The words "branch, office, or" and "during the time such detachment is so acting or proceeding to act", in 10:1259d and 1259e, and 34:541, are omitted as surplusage. The words "their baggage, provisions, and cannon", in 10:1259e and 34:541, are omitted as surplusage. The words "and shall furnish the naval officer commanding any such detachment, and his necessary aides, with horses, accouterments, and forage", in 10:1259e and 34:541, are omitted as obsolete.

§ 4565. Colors, standards, and guidons of demobilized organizations: disposition

(a) The Secretary of the Army may dispose of colors, standards, and guidons of demobilized organizations of the Army, as follows:

(1) Those brought into Federal service by the Army National Guard of a State may be returned to that State upon the request of its governor.

(2) Those that cannot be returned under clause (1) may, upon the request of its governor, be sent to the State that, as determined by the Secretary, furnished the majority of members of the organization when it was formed.

Those that cannot be returned or sent under clause (1) or (2) of this subsection shall be delivered to the Secretary for such national use as the Secretary may direct.

(b) Title to colors, standards, and guidons of demobilized organizations of the Army remains in the United States.

(c) No color, standard, or guidon may be disposed of under this section unless provision satisfactory to the Secretary has been made for its preservation and care.

(Aug. 10, 1956, ch. 1041, 70A Stat. 256; Pub. L. 89-718, §29, Nov. 2, 1966, 80 Stat. 1119.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4565(a) .....	5:202 (less 3d and last sentences).	Mar. 4, 1921, ch. 166, §2, 41 Stat. 1438.
4565(b) .....	5:202 (3d sentence).	
4565(c) .....	5:202 (last sentence).	

In subsection (a), the words "Any which were used during their service by such organizations and" are omitted as surplusage. The first 15 words of the last sentence are substituted for 5:202 (1st 45 words of 2d sentence).

AMENDMENTS

1966—Subsec. (a). Pub. L. 89-718 substituted the Secretary of the Army for the Quartermaster General as the officer to accept delivery of colors, standards, and guidons of demobilized organizations of the Army which cannot be disposed of under clauses (1) and (2).

CHAPTER 437—UTILITIES AND SERVICES

- Sec.
- 4591. Utilities: proceeds from overseas operations.
- 4592. Radiograms and telegrams: forwarding charges due connecting commercial facilities.
- 4593. Quarters: heat and light.
- 4594. Furnishing of heraldic services.
- 4595. Army Military History Institute: fee for providing historical information to the public.

AMENDMENTS

2000—Pub. L. 106-398, §1 [[div. A], title X, §1085(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-288, added item 4595. 1957—Pub. L. 85-263, §1(2), Sept. 2, 1957, 71 Stat. 589, added item 4594.

§ 4591. Utilities: proceeds from overseas operations

During actual or threatened hostilities, proceeds from operating a public utility in connection with operations of the Corps of Engineers in the field overseas are available for that utility until the close of the fiscal year following that in which they are received.

(Aug. 10, 1956, ch. 1041, 70A Stat. 257.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4591 .....	10:1287.	July 9, 1918, ch. 143, subch. XX (1st par.), 40 Stat. 893; May 29, 1928, ch. 901 (par. 37), 45 Stat. 989; Aug. 1, 1953, ch. 305, Title VI, §645 (7th clause), 67 Stat. 357.

§ 4592. Radiograms and telegrams: forwarding charges due connecting commercial facilities

In the operation of telegraph lines, cables, or radio stations, members of the Signal Corps

may, in the discretion of the Secretary of the Army, collect forwarding charges due connecting commercial telegraph or radio companies for sending radiograms or telegrams over their lines. Under such regulations as the Secretary may prescribe, they may present a voucher to a disbursing official for payment of the forwarding charge.

(Aug. 10, 1956, ch. 1041, 70A Stat. 257; Pub. L. 97-258, §2(b)(1)(A), Sept. 13, 1982, 96 Stat. 1052; Pub. L. 104-316, title I, §105(e), Oct. 19, 1996, 110 Stat. 3830.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4592 .....	10:1319.	May 12, 1917, ch. 12 (proviso under "Washington-Alaska Military Cable and Telegraph System"), 40 Stat. 43.

The words "members of" are inserted for clarity. The words "Government", "and to this end", "as may be", and "amount of such" are omitted as surplusage.

AMENDMENTS

1996—Pub. L. 104-316 substituted "of the forwarding" for "or may file a claim with the General Accounting Office for the forwarding" in second sentence.

1982—Pub. L. 97-258 substituted "official" for "officer".

§ 4593. Quarters: heat and light

The heat and light necessary for the authorized quarters of members of the Army shall be furnished at the expense of the United States.

(Aug. 10, 1956, ch. 1041, 70A Stat. 257.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4593 .....	10:723.	Mar. 2, 1907, ch. 2511 (1st proviso under "Quartermaster's Department"), 34 Stat. 1167.

The word "members" is substituted for the words "officers and enlisted men". The words "under such regulations as the Secretary of the Army may prescribe", are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory function.

CHARGES FOR EXCESS ENERGY CONSUMPTION; DEPOSIT OF PROCEEDS; APPLICABILITY; IMPLEMENTATION

Pub. L. 95-82, title V, §507, Aug. 1, 1977, 91 Stat. 372, provided for assessment of charges upon occupants of military family housing facilities for excessive use of energy, prior to repeal by Pub. L. 96-418, title V, §509, title VI, §608, Oct. 10, 1980, 94 Stat. 1767, 1774, eff. Oct. 1, 1980.

§ 4594. Furnishing of heraldic services

(a) Under regulations to be prescribed by the Secretary of the Army, an authority designated by him may, upon the request of, and subject to approval by, the Secretary of another military department, design flags, insignia, badges, medals, seals, decorations, guidons, streamers, finial pieces for flagstaves, buttons, buckles, awards, trophies, marks, emblems, rosettes, scrolls, braids, ribbons, knots, tabs, cords, and similar items for the requesting department.