

Public Law 96-328
96th Congress

An Act

To amend title 32, United States Code, to modify the system of accountability and responsibility for property of the United States issued to the National Guard.

Aug. 8, 1980

[H.R. 5748]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsections (b) and (c) of section 710 of title 32, United States Code, are amended to read as follows:

U.S. property,
issuance to
National Guard.

“(b) The Secretary of the Army shall prescribe regulations for accounting for property issued by the United States to the Army National Guard and for the fixing of responsibility for that property. The Secretary of the Air Force shall prescribe regulations for accounting for property issued by the United States to the Air National Guard and for the fixing of responsibility for that property. So far as practicable, regulations prescribed under this section shall be uniform among the components of each service.

Regulations.

“(c) Under regulations prescribed by the Secretary concerned under subsection (b), liability for the value of property issued by the United States to the National Guard that is lost, damaged, or destroyed may be charged (1) to a member of the Army National Guard or the Air National Guard when in similar circumstances a member of the Army or Air Force serving on active duty would be so charged, or (2) to a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia when the property is lost, damaged, or destroyed incident to duty directed pursuant to the laws of, and in support of the authorities of, such jurisdiction. Liability charged to a member of the Army National Guard or the Air National Guard shall be paid out of pay due to the member for duties performed as a member of the National Guard, unless the Secretary concerned shall for good cause remit or cancel that liability. Liability charged to a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia shall be paid from its funds or from any other non-Federal funds.”.

Liability.

(b)(1) The section heading for such section is amended to read as follows:

“§710. Accountability for property issued to the National Guard”.

(2) The item relating to such section in the table of sections at the beginning of chapter 7 of title 32, United States Code, is amended to read as follows:

“710. Accountability for property issued to the National Guard.”.

Effective date.
32 USC 710
note.

SEC. 2. The amendment made by subsection (a) of the first section of this Act shall apply to liability for property issued by the United States to the National Guard that is lost, damaged, or destroyed on or after October 1, 1980. Liability for such property that is lost, damaged, or destroyed before such date shall be governed by the provisions of section 710 of title 32, United States Code, as in effect on the day before the date of the enactment of this Act.

Approved August 8, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-627 (Comm. on Armed Services).

SENATE REPORT No. 96-849 (Comm. on Armed Services).

CONGRESSIONAL RECORD:

Vol. 125 (1979): Nov. 27, considered and passed House.

Vol. 126 (1980): July 25, considered and passed Senate.