

Subsec. (f). Pub. L. 85-861, §33(a)(45)(B), substituted “an officer” for “a commissioned officer” in two places.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2016 AMENDMENT

Amendment by Pub. L. 114-328 effective Dec. 23, 2016, and applicable with respect to debt incurred on or after Oct. 7, 2001, see section 671(b)(5) of Pub. L. 114-328, set out as a note under section 4837 of this title.

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-181, div. A, title X, §1063(c), Jan. 28, 2008, 122 Stat. 322, provided that the amendment made by section 1063(c)(7)(C) is effective as of Oct. 17, 2006, and as if included in the John Warner National Defense Authorization Act for Fiscal Year 2007, Pub. L. 109-364, as enacted.

TERMINATION DATE OF 2006 AMENDMENT

Pub. L. 109-163, div. A, title VI, §683(c)(3), Jan. 6, 2006, 119 Stat. 3324, which provided for termination of amendments by Pub. L. 109-163, §683(c), amending this section and the analysis to this chapter, on Dec. 31, 2007, and restoration of provisions as in effect on the day before Jan. 6, 2006, was repealed by Pub. L. 109-364, div. A, title VI, §673(c)(3), Oct. 17, 2006, 120 Stat. 2272.

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 1962 AMENDMENT

Amendment by Pub. L. 87-649 effective on Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as a note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment by Pub. L. 85-861 effective Aug. 10, 1956, see section 33(g) of Pub. L. 85-861, set out as a note under section 101 of this title.

REGULATIONS

Secretary of Defense to prescribe regulations required for purposes of this section, as amended by Pub. L. 109-364, not later than Mar. 1, 2007, see section 673(d) of Pub. L. 109-364, set out as a note under section 4837 of this title.

§ 9838. Settlement of accounts: affidavit of squadron commander

In the settlement of the accounts of the commanding officer of a squadron for clothing and other military supplies, his affidavit may be received to show—

- (1) that vouchers or squadron books were lost;
- (2) anything tending to prove that any apparent deficiency of those articles was caused by unavoidable accident, or by loss in actual service without his fault; or
- (3) that all or part of the clothing and supplies was properly used.

The affidavit may be used as evidence of the facts set forth, with or without other evidence, as determined by the Secretary of the Air Force to be just and proper under the circumstances.

(Aug. 10, 1956, ch. 1041, 70A Stat. 595.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|------------------------------------------------------------------------------------|
| 9838 | 10:1302. | R.S. 225 (less 1st sentence); added Feb. 27, 1877, ch. 69 (3d par.), 19 Stat. 241. |

The word “anything” is substituted for the words “any matter or circumstance”. The words “properly used” are substituted for the words “legally used and appropriated”. The words “of the case” are omitted as surplusage.

§ 9839. Settlement of accounts: oaths

The Secretary of the Air Force may detail any employee of the Department of the Air Force to administer oaths required by law in the settlement of an officer’s accounts for clothing and other military supplies. An oath administered under this section shall be without expense to the person to whom it is administered.

(Aug. 10, 1956, ch. 1041, 70A Stat. 595.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 9839 | 10:1303. | R.S. 225 (1st sentence). |

The words “and other military supplies” are substituted for the words “camp and garrison equipage, quartermaster’s stores, and ordnance” to conform to section 9838 of this title. The words “person to whom administered” are substituted for the words “parties taking them.” The words “for the purpose of” are omitted as surplusage.

§ 9840. Final settlement of officer’s accounts

Before final payment upon discharge may be made to an officer of the Air Force or the Space Force who has been accountable or responsible for public property, the officer must obtain a certificate of nonindebtedness to the United States from each officer to whom the officer was accountable or responsible for property. The officer must also make an affidavit, certified by the officer’s commanding officer to be correct, that the officer is not accountable or responsible for property to any other officer. An officer who has not been responsible for public property must make an affidavit of that fact, certified by the officer’s commanding officer. Compliance with this section warrants the final payment of the officer concerned.

(Aug. 10, 1956, ch. 1041, 70A Stat. 595; Pub. L. 116-283, div. A, title IX, §923(e)(23), Jan. 1, 2021, 134 Stat. 3819; Pub. L. 117-81, div. A, title X, §1081(a)(37), Dec. 27, 2021, 135 Stat. 1922.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-------------------------------------------|
| 9840 | 10:878. | Jan. 12, 1899, ch. 46, § 2, 30 Stat. 784. |

The words “Before final payment upon discharge may be made” are substituted for the words “shall warrant their final payment”. The words “at any time” are omitted as surplusage. The word “must” is substituted for the words “shall be required * * * to”. The words “He must also make” are substituted for the words “accompanied by”. The words “from each officer to