

**CHAPTER 355—HOSPITALIZATION**

Sec.  
[3721, 3722. Repealed.]  
3723. When Secretary may require.

AMENDMENTS

1986—Pub. L. 99-661, div. A, title VI, §604(f)(1)(B)(ii), Nov. 14, 1986, 100 Stat. 3877, struck out item 3721 “Members of Army, other than of Regular Army” and item 3722 “Members of C.M.T.C.; members of Army not covered by section 3721 of this title.”

1958—Pub. L. 85-861, §1(92)(D), Sept. 2, 1958, 72 Stat. 1482, substituted “Members of C.M.T.C.” for “Members of R.O.T.C. and C.M.T.C.” in item 3722.

**[§§ 3721, 3722. Repealed. Pub. L. 99-661, div. A, title VI, §604(f)(1)(A), Nov. 14, 1986, 100 Stat. 3877]**

Section 3721, acts Aug. 10, 1956, ch. 1041, 70A Stat. 214; Sept. 2, 1958, Pub. L. 85-861, §1(92)(A), 72 Stat. 1482, related to hospital benefits for members of Army, other than of Regular Army.

Section 3722, acts Aug. 10, 1956, ch. 1041, 70A Stat. 214; Sept. 2, 1958, Pub. L. 85-861, §1(92)(B), (C), 72 Stat. 1482, related to hospital and related benefits for members of a Citizens’ Military Training Camp and for members of Army not covered by section 3721 of this title.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to persons who, after Nov. 14, 1986, incur or aggravate an injury, illness, or disease or die, see section 604(g) of Pub. L. 99-661, set out as an Effective Date of 1986 Amendment note under section 1074a of this title.

**§ 3723. When Secretary may require**

The Secretary of the Army may order the hospitalization, medical and surgical treatment, and domiciliary care, for as long as necessary, of any member of the Army on active duty, and may incur obligations with respect thereto, whether or not the member incurred an injury, illness, or disease in line of duty, except in the case of a member treated in a private hospital, or by a civilian physician, while on leave of absence for more than 24 hours.

(Aug. 10, 1956, ch. 1041, 70A Stat. 215; Pub. L. 99-661, div. A, title VI, §604(f)(1)(D), Nov. 14, 1986, 100 Stat. 3878; Pub. L. 100-180, div. A, title XII, §1231(16), Dec. 4, 1987, 101 Stat. 1161.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3723 .....	10:455e. 32:164d.	July 15, 1939, ch. 282; re-stated Oct. 14, 1940, ch. 875, §5, 54 Stat. 1137.

The words “under such regulations as he may prescribe”, in 10:455e and 32:164d, are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory functions. The reference to 10:455a-455d and 32:164a-164c, and the words “nor any other law of the United States shall be construed as limiting the power and authority”, are omitted, since the revised section makes explicit the authority of the Secretary to require the prescribed hospitalization and care. The words “or in training, under the provisions of section 62—” are omitted as covered by the words “active duty”. The words “in the active military service” are omitted as surplusage. With the exception of 32:62 (4th proviso of last sentence), the references to 32:62-65, 144-146, 183, and 186, in 10:455e and 32:164d, do not refer to members of the Army National

Guard of the United States and are therefore omitted from the revised section. 10:455e (1st proviso) and 32:164d (1st proviso) are omitted since they apply only to the National Guard and are covered by section 320 of title 32.

CODIFICATION

Pub. L. 100-26, §7(j)(11), Apr. 21, 1987, 101 Stat. 283, which directed that section 4723 of this title, as amended by section 604(f)(1)(D) of Pub. L. 99-661, be amended by striking out the comma after “disease”, could not be executed because no section 4723 of this title has been enacted. The probable intent of Congress was to amend section 3723 of this title. Pub. L. 100-180, §1231(16), cited as a credit to section 3723 above, made an identical amendment to section 3723.

AMENDMENTS

1987—Pub. L. 100-180 struck out the comma after “disease”.

1986—Pub. L. 99-661, substituted “incurred an injury, illness, or disease” for “was injured, or contracted a disease”.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-661 applicable with respect to persons who, after Nov. 14, 1986, incur or aggravate an injury, illness, or disease or die, see section 604(g) of Pub. L. 99-661, set out as a note under section 1074a of this title.

**CHAPTER 357—DECORATIONS AND AWARDS**

- Sec.
- 3741. Medal of honor: award.
- 3742. Distinguished-service cross: award.
- 3743. Distinguished-service medal: award.
- 3744. Medal of honor; distinguished-service cross; distinguished-service medal: limitations on award.
- 3745. Medal of honor; distinguished-service cross; distinguished-service medal: delegation of power to award.
- 3746. Silver star: award.
- 3747. Medal of honor; distinguished-service cross; distinguished-service medal; silver star: replacement.
- 3748. Medal of honor; distinguished-service cross; distinguished-service medal; silver star: availability of appropriations.
- 3749. Distinguished flying cross: award; limitations.
- 3750. Soldier’s Medal: award; limitations.
- 3751. Service medals: issue; replacement; availability of appropriations.
- 3752. Medals: posthumous award and presentation.
- 3753. Civil War battle streamers.
- 3754. Medal of honor: duplicate medal.
- 3755. Medal of honor: presentation of Medal of Honor Flag.
- 3756. Korea Defense Service Medal.

AMENDMENTS

2004—Pub. L. 108-375, div. A, title X, §1084(d)(28), Oct. 28, 2004, 118 Stat. 2063, renumbered item 3755 “Korea Defense Service Medal” as 3756.

2002—Pub. L. 107-314, div. A, title V, §543(b)(2), Dec. 2, 2002, 116 Stat. 2549, added item 3755 “Korea Defense Service Medal”.

Pub. L. 107-248, title VIII, §8143(c)(1)(B), Oct. 23, 2002, 116 Stat. 1570, added item 3755 “Medal of honor: presentation of Medal of Honor Flag”.

2001—Pub. L. 107-107, div. A, title V, §553(a)(1)(B), Dec. 28, 2001, 115 Stat. 1116, added item 3754.

EXTENSION OF TIME FOR AWARD OF DECORATION

Pub. L. 93-469, Oct. 24, 1974, 88 Stat. 1422, authorized award, not later than Oct. 24, 1976, of a decoration or device in lieu of decoration which, prior to Oct. 24, 1974,