

held in Decision Number 571 (July 27, 1944) that R.S. 4813 was repealed by implication. Since this decision is binding on the Secretary of the Navy (see 38 U.S.C. 11a-2), the deductions from pension accounts authorized by R.S. 4813 may not be made.

In subsection (c) the words "each retired enlisted member of the naval service" are substituted for the words "retired enlisted men" and the words "is entitled to" are substituted for the words "shall receive" to conform to terminology used throughout this title. The words "equal in value to the hospital ration" are substituted for the words "prescribed by law for enlisted men of the Regular Navy" to show that the amount of the allowance is the value of the hospital ration. The words "for each day" are inserted to make it clear that the ration allowance is credited on a daily basis. The words "under this section" are substituted for the words "in a Federal hospital in accordance with law" because this section is the only authority for the hospitalization of members of the Fleet Reserve and Fleet Marine Corps Reserve and retired enlisted members of the naval service in Federal hospitals, other than naval hospitals, under conditions entitling the members to a ration allowance. The subsistence of a member of the Fleet Reserve or Fleet Marine Corps Reserve or a retired enlisted member of the naval service while hospitalized in naval hospitals is covered by §6086 of this title.

AMENDMENTS

1980—Subsec. (b). Pub. L. 96-513 substituted "section 4812 of the Revised Statutes (24 U.S.C. 16)" for "section 16 of title 24".

1958—Subsec. (c). Pub. L. 85-861 repealed subsec. (c) which related to a ration allowance for members of the Fleet Reserve of the Fleet Marine Corps Reserve and retired enlisted members of the naval service.

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.

§ 6202. Insane members of the naval service

A member of the naval service who becomes insane may be placed in the hospital for the insane that, in the opinion of the Secretary of the Navy, is most convenient and will provide the most beneficial treatment.

(Aug. 10, 1956, ch. 1041, 70A Stat. 387.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6202 .....	34 U.S.C. 595.	R.S. 1551; July 1, 1916, ch. 209, § 1, 39 Stat. 309.

The words "that \* \* \* will provide the most beneficial treatment" are substituted for the words "best calculated to promise a restoration of reason" for clarity. The second sentence of 34 U.S.C. 595 is omitted as superseded. It provided a method by which the Secretary of the Navy, in his discretion, could compensate other agencies for expenses involved in hospitalizing insane naval patients. Other provisions of law, principally 24 U.S.C. 31, 31 U.S.C. 686, and 37 U.S.C. 284, and regulations, principally Executive Order 10122, of April 14, 1950, establish the method currently used.

§ 6203. Emergency medical treatment: reimbursement for expense

The Secretary of the Navy shall prescribe regulations for reimbursing members of the naval service for expenses of emergency or necessary medical service, including hospitalization and medicines, when the member was in a duty

status at the time he received the service and the service was not available from a Federal source. For the purpose of this section, a member on leave or liberty is in a duty status.

(Aug. 10, 1956, ch. 1041, 70A Stat. 387.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6203 .....	34 U.S.C. 921a. 34 U.S.C. 921b.	May 4, 1948, ch. 254, § 2, 62 Stat. 208. May 4, 1948, ch. 254, § 3, 62 Stat. 208.

The word "shall" is substituted for the words "authorized and directed to". The word "members" is substituted for the word "persons". The words "from civilian sources" are omitted as surplusage. The word "hospitalization" is substituted for the words "hospital service". In the second sentence, the word "authorized" is omitted as surplusage.

CHAPTER 565—BANDS

Sec.

- 6221. United States Navy Band; officer in charge.
- 6222. United States Marine Band; United States Marine Drum and Bugle Corps; composition; appointment and promotion of members.

[6223, 6224. Repealed.]

AMENDMENTS

2008—Pub. L. 110-181, div. A, title V, § 590(b)(2)(B), Jan. 28, 2008, 122 Stat. 138, struck out item 6223 "Competition with civilian musicians prohibited".

2006—Pub. L. 109-364, div. A, title V, § 599(b), Oct. 17, 2006, 120 Stat. 2239, substituted "United States Marine Band; United States Marine Drum and Bugle Corps; composition; appointment and promotion of members" for "United States Marine Band: composition; director; assistant director" in item 6222.

2001—Pub. L. 107-107, div. A, title V, § 510(b), Dec. 28, 2001, 115 Stat. 1091, inserted "officer in charge" after "Navy Band" in item 6221.

1980—Pub. L. 96-513, title V, § 513(15), Dec. 12, 1980, 94 Stat. 2932, struck out "leader's pay and allowances" after "Band" in item 6221, and struck out item 6224 "United States Navy Band; United States Marine Corps Band; concert tours".

1958—Pub. L. 85-861, § 1(141), Sept. 2, 1958, 72 Stat. 1509, substituted "United States Marine Band" for "United States Marine Corps Band", and "director; assistant director" for "Pay and allowances of leader and second leader" in item 6222.

§ 6221. United States Navy Band; officer in charge

(a) There is a Navy band known as the United States Navy Band.

(b)(1) An officer of the Navy designated for limited duty under section 5589 or 5596 of this title who is serving in a grade above lieutenant may be detailed by the Secretary of the Navy as Officer in Charge of the United States Navy Band.

(2) While serving as Officer in Charge of the United States Navy Band, an officer shall hold the grade of captain if appointed to that grade by the President, by and with the advice and consent of the Senate. Such an appointment may be made notwithstanding section 5596(d) of this title.

(Aug. 10, 1956, ch. 1041, 70A Stat. 388; Pub. L. 87-649, § 14c(44), Sept. 7, 1962, 76 Stat. 501; Pub. L. 96-513, title V, § 513(16), Dec. 12, 1980, 94 Stat.