

## 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 The second sentence of 34 U.S.C. 595 is omitted as superseded.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.	May 4, 1948, ch. 254, § 2, 62 Stat. 208.
	34 U.S.C. 921b.	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. 2932; Pub. L. 107-107, div. A, title V, § 510(a), Dec. 28, 2001, 115 Stat. 1091.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6221 .....	34 U.S.C. 596 (less 3d proviso).	Mar. 4, 1925, ch. 536, § 17 (less 3d proviso), 43 Stat. 1275.

Subsection (a) is set forth to preserve the legal authority for the title of the band, but the first 30 words of the Act of March 4, 1925, ch. 536, § 17, 43 Stat. 1275, are omitted as executed. To conform to the Career Compensation Act of 1949 (37 U.S.C. 231 et seq.), the word “basic” is inserted before “pay” in subsection (b) and the words “and is entitled to be credited for pay purposes with all service which may be credited under section 202 of the Career Compensation Act of 1949 (37 U.S.C. 233)” are substituted for the words “Provided, That all service as an enlisted man in the naval service shall be counted in computing longevity increases for pay of this leader”.

The second proviso is omitted as executed.

## AMENDMENTS

2001—Pub. L. 107-107 amended section catchline and text generally. Prior to amendment, text read as follows: “There is a Navy band known as the United States Navy Band.”

1980—Pub. L. 96-513 in section catchline struck out “; leader’s pay and allowances” after “Band”, and in text struck out designation “(a)”.

1962—Subsec. (b). Pub. L. 87-649 repealed subsec. (b) which related to the pay and allowances of the leader of the United States Navy Band. See sections 207 and 424 of Title 37, Pay and Allowances of the Uniformed Services.

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 Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as an Effective Date note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

**§ 6222. United States Marine Band; United States Marine Drum and Bugle Corps: composition; appointment and promotion of members**

(a) UNITED STATES MARINE BAND.—The band of the Marine Corps shall be composed of one director, two assistant directors, and other personnel in such numbers and grades as the Secretary of the Navy determines to be necessary.

(b) UNITED STATES MARINE DRUM AND BUGLE CORPS.—The drum and bugle corps of the Marine Corps shall be composed of one commanding officer and other personnel in such numbers and grades as the Secretary of the Navy determines to be necessary.

(c) APPOINTMENT AND PROMOTION.—(1) The Secretary of the Navy shall prescribe regulations for the appointment and promotion of members of the Marine Band and members of the Marine Drum and Bugle Corps.

(2) The President may from time to time appoint members of the Marine Band and members of the Marine Drum and Bugle Corps to grades not above the grade of captain. The authority of the President to make appointments under this paragraph may be delegated only to the Secretary of Defense.

(3) The President, by and with the advice and consent of the Senate, may from time to time appoint any member of the Marine Band or of the Marine Drum and Bugle Corps to a grade above the grade of captain.

(d) RETIREMENT.—Unless otherwise entitled to higher retired grade and retired pay, a member of the Marine Band or Marine Drum and Bugle Corps who holds, or has held, an appointment under this section is entitled, when retired, to be retired in, and with retired pay based on, the highest grade held under this section in which the Secretary of the Navy determines that such member served satisfactorily.

(e) REVOCATION OF APPOINTMENT.—The Secretary of the Navy may revoke any appointment of a member of the Marine Band or Marine Drum and Bugle Corps. When a member's appointment to a commissioned grade terminates under this subsection, such member is entitled, at the option of such member—

(1) to be discharged from the Marine Corps; or

(2) to revert to the grade and status such member held at the time of appointment under this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 388; Pub. L. 85-861, §1(140), Sept. 2, 1958, 72 Stat. 1508; Pub. L. 87-649, §14c(45), Sept. 7, 1962, 76 Stat. 501; Pub. L. 91-197, Feb. 24, 1970, 84 Stat. 15; Pub. L. 96-513, title V, §513(18), Dec. 12, 1980, 94 Stat. 2932; Pub. L. 109-364, div. A, title V, §599(a), Oct. 17, 2006, 120 Stat. 2238.)

HISTORICAL AND REVISION NOTES  
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6222 .....	34 U.S.C. 701 (less proviso).	Mar. 4, 1925, ch. 536, §11 (less proviso), 43 Stat. 1274; June 29, 1946, ch. 523, §1(c), 60 Stat. 343; Oct. 12, 1949, ch. 681, §517(a), 63 Stat. 833.

In subsection (b) the second sentence is substituted for the two references to the Career Compensation Act of 1949 and for the words "and with the same number of cumulative years of service".

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6222(a) .....	34 App.:701.	July 24, 1956, ch. 686, 70 Stat. 628.
6222(b) .....	34 App.:701-1(a).	
6222(c) .....	34 App.:701-1(b).	
6222(d) .....	34 App.:701-2.	
6222(e) .....	34 App.:701-3.	
6222(f) .....	34 App.:701-4.	
6222(g) .....	34 App.:701-5.	

In subsection (a), the words "and appropriate" are omitted as covered by the word "necessary". The words "and ranks" are omitted as covered by the word "grades". The second sentence of 34 App.:701 is omitted as covered by section 6224 of this title.

In subsection (b), the words "United States" and "or the United States Marine Corps Reserve" are omitted as unnecessary in view of the definition of "Marine Corps" in section 5001(a)(2) of this title. The words "as authorized by sections 701 to 701-5 of this title" are omitted as surplusage.

In subsection (e), the words "from the United States . . . as provided by law" are omitted as surplusage.

In subsection (f), the words "a member who holds, or has held" are substituted for the words "Directors and assistant directors of the Marine Band and former directors and assistant directors who have held".

AMENDMENTS

2006—Pub. L. 109-364 amended section catchline and text generally. Prior to amendment, section consisted of subsecs. (a) to (f) relating to composition of the United States Marine Band, designation of its director and assistant directors, grades upon initial appointment, promotion, retirement, and revocation of appointments.

1980—Subsecs. (e) to (g). Pub. L. 96-513 redesignated subsecs. (f) and (g) as (e) and (f), respectively.

1970—Subsec. (d). Pub. L. 91-197 struck out provision that the grade of the director be no higher than lieutenant colonel and that the grades of the assistant directors be no higher than captain.

1962—Subsec. (e). Pub. L. 87-649 repealed subsec. (e) which related to pay and allowances of members who accepted a commission under this section. See sections 207 and 424 of Title 37, Pay and Allowances of the Uniformed Services.

1958—Pub. L. 85-861 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 section catchline.

Subsec. (a). Pub. L. 85-861 authorized one director and two assistant directors instead of one leader and one second leader.

Subsec. (b). Pub. L. 85-861 substituted provisions relating to designation of director and assistant directors for provisions which prescribed the pay and allowances of the leader and second leader.

Subsecs. (c) to (g). Pub. L. 85-861 added subsecs. (c) to (g).

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