

The words “officers and midshipmen of the naval service” are substituted for the words “any officer of the Navy or any officer of the Marine Corps” and “any midshipman”. The words “at the Naval Academy” are omitted. The statute is interpreted as covering all midshipmen, including the reserve category created by subsequent statute. The word “sold” is substituted for the word “furnished” for directness of expression.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

**§ 6156. Uniform: sale to former members of the naval service**

(a) Under such regulations as the Secretary of the Navy prescribes, exterior articles of uniform may be sold to a person who has been discharged from the naval service honorably or under honorable conditions. This section does not modify section 772 or 773 of this title.

(b) Money received from sales under this section shall be covered into the Treasury to the credit of the appropriation out of which the articles were purchased.

(Aug. 10, 1956, ch. 1041, 70A Stat. 386.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large)             |
|-----------------|--------------------|--|
| 6156 .....      | 34 U.S.C. 608.     | Feb. 14, 1927, ch. 134, 44 Stat. 1096. |

The word “person” is substituted for the words “former members of the naval service”.

**[§ 6157. Repealed. Pub. L. 87-651, title I, § 123(b), Sept. 7, 1962, 76 Stat. 514]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 387, related to transportation of motor vehicles on permanent change of station.

**[§ 6158. Repealed. Pub. L. 90-235, § 7(b)(1), Jan. 2, 1968, 81 Stat. 763]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 387, exempted enlisted members of the Marine Corps, while on active duty, from personal arrest for debt or contract.

**[§ 6159. Repealed. Pub. L. 91-482, § 1(a), Oct. 21, 1970, 84 Stat. 1082]**

Section, added Pub. L. 85-56, title XXII, § 2201(31)(C), June 17, 1957, 71 Stat. 161, provided for a pension to disabled naval enlisted personnel serving 20 years or more, equal to one-half the pay of enlisted man’s rating at the time of his discharge.

PENSION CONTINUATION PROVISION

Pub. L. 91-482, § 3, Oct. 21, 1970, 84 Stat. 1082, provided that: “Notwithstanding the first section of this Act [repealing sections 4539, 4623, 5981, 6159, and 6406 of this title and section 208 of Title 37], a person who is entitled to a pension under section 6159 of title 10, United States Code, on the day before the date of enactment of this Act [which was approved Oct. 21, 1970] shall continue to be entitled to that pension on and after that date of enactment.”

**§ 6160. Pension to persons serving ten years**

(a) Every disabled person who has served in the Navy or Marine Corps as an enlisted member or petty officer, or both, for ten or more years, and has not been discharged for misconduct, may apply to the Secretary of the Navy for aid.

(b) Upon receipt of an application under subsection (a), the Secretary of the Navy may convene a board of not less than three naval officers (one of whom shall be a surgeon) to examine into the condition of the applicant, and to recommend a suitable amount for his relief, and for a specified time. If the Secretary of the Navy approves the recommendation, he shall so certify to the Secretary of Veterans Affairs, who shall pay a pension in such amount monthly to the applicant.

(c) No naval pension under this section shall be paid at a rate in excess of the rate payable to a veteran of World War I for permanent and total non-service-connected disability, unless the applicant’s disability is service-connected, in which case the naval pension payable to him shall not exceed the rate of disability compensation payable for total disability to a veteran of any war, or of peacetime service, as the case may be. In the case of any initial award of naval pension granted before July 14, 1943, where the person granted the naval pension is also entitled to pension or compensation under laws administered by the Secretary of Veterans Affairs, such naval pension shall not exceed one-fourth of such pension or compensation.

(Added Pub. L. 85-56, title XXII, § 2201(31)(C), June 17, 1957, 71 Stat. 161; amended Pub. L. 85-857, § 13(v)(4), Sept. 2, 1958, 72 Stat. 1268; Pub. L. 99-145, title XIII, § 1301(c)(1), Nov. 8, 1985, 99 Stat. 736; Pub. L. 101-189, div. A, title XVI, § 1621(a)(2), Nov. 29, 1989, 103 Stat. 1603; Pub. L. 101-510, div. A, title XIV, § 1484(j)(4), Nov. 5, 1990, 104 Stat. 1719.)

AMENDMENTS

1990—Subsec. (c). Pub. L. 101-510 substituted “Secretary of Veterans Affairs” for “Veterans’ Administration”.

1989—Subsec. (b). Pub. L. 101-189 substituted “Secretary of Veterans Affairs” for “Administrator of Veterans’ Affairs”.

1985—Subsec. (a). Pub. L. 99-145 substituted “enlisted member” for “enlisted man”.

1958—Pub. L. 85-857 limited naval pensions granted before July 14, 1943 to not more than one-fourth of any pension or compensation which the person is entitled to receive under laws administered by the Veterans’ Administration.

EFFECTIVE DATE OF 1958 AMENDMENT

Pub. L. 85-857, § 13(v)(4), Sept. 2, 1958, 72 Stat. 1268, provided that the amendment made by that section is effective as of Jan. 1, 1958.

EFFECTIVE DATE

Section effective Jan. 1, 1958, see section 2301 of Pub. L. 85-56.

**§ 6161. Settlement of accounts: remission or cancellation of indebtedness of members**

(a) IN GENERAL.—The Secretary of the Navy may have remitted or cancelled any part of the indebtedness of a person to the United States or any instrumentality of the United States in-

curred while the person was serving on active duty as a member of the naval service, but only if the Secretary considers such action to be in the best interest of the United States.

(b) **RETROACTIVE APPLICABILITY TO CERTAIN DEBTS.**—The authority in subsection (a) may be exercised with respect to any debt covered by that subsection that is incurred on or after October 7, 2001.

(c) **REGULATIONS.**—This section shall be administered under regulations prescribed by the Secretary of Defense.

(Added Pub. L. 86-511, §1(a), June 11, 1960, 74 Stat. 207; amended Pub. L. 109-163, div. A, title VI, §683(b)(1), Jan. 6, 2006, 119 Stat. 3322; Pub. L. 109-364, div. A, title VI, §673(b)(1), (2), (e)(2), Oct. 17, 2006, 120 Stat. 2271, 2272; Pub. L. 110-181, div. A, title X, §1063(c)(7)(B), Jan. 28, 2008, 122 Stat. 323.)

#### AMENDMENTS

2008—Subsec. (a). Pub. L. 110-181 made technical correction to directory language of Pub. L. 109-364, §673(b)(1). See 2006 Amendment note below.

2006—Pub. L. 109-163 amended section catchline and text generally. Prior to amendment, text read as follows: “If he considers it in the best interest of the United States, the Secretary of the Navy may have remitted or canceled any part of an enlisted member’s indebtedness to the United States or any of its instrumentalities remaining unpaid before, or at the time of that member’s honorable discharge.”

Subsec. (a). Pub. L. 109-364, §673(e)(2), substituted “The Secretary of the Navy” for “If the Secretary of the Navy considers it to be in the best interest of the United States, the Secretary” and inserted “, but only if the Secretary considers such action to be in the best interest of the United States” before period at end.

Pub. L. 109-364, §673(b)(1), as amended by Pub. L. 110-181, substituted “of a person to the United States or any instrumentality of the United States incurred while the person was serving on active duty as a member of the naval service” for “of a member of the Navy on active duty, or a member of a reserve component of the Navy in an active status, to the United States or any instrumentality of the United States incurred while the member was serving on active duty”.

Subsecs. (b) to (d). Pub. L. 109-364, §673(b)(2), redesignated subsecs. (c) and (d) as (b) and (c), respectively, and struck out heading and text of former subsec. (b). Text read as follows: “The Secretary of the Navy may exercise the authority in subsection (a) with respect to a member—

“(1) while the member is on active duty or in active status, as the case may be;

“(2) if discharged from the armed forces under honorable conditions, during the one-year period beginning on the date of such discharge; or

“(3) if released from active status in a reserve component, during the one-year period beginning on the date of such release.”

#### 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)(B) 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(b)(3), Jan. 6, 2006, 119 Stat. 3323, which provided for termination of amendments by Pub. L. 109-163, §683(b), 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(b)(3), Oct. 17, 2006, 120 Stat. 2271.

#### 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.

### CHAPTER 563—HOSPITALIZATION AND MEDICAL CARE

Sec.

6201. Members of the naval service in other United States hospitals.  
6202. Insane members of the naval service.  
6203. Emergency medical treatment: reimbursement for expense.

#### § 6201. Members of the naval service in other United States hospitals

(a) When appropriate naval hospital facilities are unavailable, the Secretary of the Navy may provide for the care and treatment of members of the naval service, entitled to treatment in naval hospitals, in other United States hospitals, if the agencies controlling the other hospitals consent. Expenses incident to such care and treatment are chargeable to the same appropriation as would be chargeable for care and treatment in a naval hospital.

(b) The deduction authorized by section 4812 of the Revised Statutes (24 U.S.C. 16) shall be made from accounts of members hospitalized under this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 387; Pub. L. 85-861, §36B(19), Sept. 2, 1958, 72 Stat. 1571; Pub. L. 96-513, title V, §513(14), Dec. 12, 1980, 94 Stat. 2932.)

#### HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>                        |
|------------------------|---------------------------|--|
| 6201(a), (b).          | 24 U.S.C. 31.             | Jan. 19, 1929, ch. 85, 45 Stat. 1090.                    |
| 6201(c) .....          | 34 U.S.C. 854f.           | June 25, 1938, ch. 690, §207, 52 Stat. 1180.             |
|                        | 34 U.S.C. 854 (note).     | July 9, 1952, ch. 608, §803 (3d sentence), 66 Stat. 505. |

In subsection (a) the words “members of the naval service” are substituted for the words “naval patients on the active or retired list and members of the Naval Reserve or Marine Corps Reserve”. The definition of “member of the naval service” makes the terms coextensive. Reference to St. Elizabeths Hospital is omitted in view of Reorganization Plan No. 3 of 1946, §201, 60 Stat. 1098, which transferred the functions of that hospital pertaining to members of the naval service to the Secretary of the Navy. For the purposes of this section, St. Elizabeths is now in the same category as other United States hospitals.

In subsection (b) reference to R.S. 4813 (24 U.S.C. 6) is omitted because the Administrator of Veterans’ Affairs 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 sub-