

of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF REPEAL

Repeal 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.

**[§ 8690. Repealed. Pub. L. 90-235, § 7(b)(1), Jan. 2, 1968, 81 Stat. 763]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 538, exempted enlisted members of Air Force, while on active duty, from arrest for any debt, unless it was contracted before enlistment and amounted to at least \$20 when first contracted.

**§ 8691. Flying officer rating: qualifications**

Only officers of the Air Force in the following categories may be rated as flying officers:

- (1) Officers who have aeronautical ratings as pilots of service types of aircraft or as aircraft observers.
- (2) Flight surgeons.
- (3) Officers undergoing flight training.
- (4) Officers who are members of combat crews, other than pilots of service types of aircraft, aircraft observers, and observers.
- (5) In time of war, officers who have aeronautical ratings as observers.

(Aug. 10, 1956, ch. 1041, 70A Stat. 538.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8691 .....	10:291c. 10:291c-1. 10:291e.	June 3, 1916, ch. 134, §13a (8th, 9th, and 11th provisos); added July 2, 1926, ch. 721, § 2 (4th sentence, less 2d proviso), 44 Stat. 781; June 16, 1936, ch. 587, § 3, 49 Stat. 1524; Oct. 4, 1940, ch. 742 (last proviso), 54 Stat. 963. June 24, 1948, ch. 632 (2d proviso under "Finance Department"), 62 Stat. 650.

10:291c (proviso) and the words "after June 30, 1948", in 10:291c-1, are omitted as executed. The definition of the term "flying officer", in 10:291c, originally was a definition of the term "flying officer in time of peace" as provided by section 2 of the Act of July 2, 1926, ch. 721, 44 Stat. 781. Section 1 of the Act of October 4, 1940, ch. 742, 54 Stat. 963, eliminated the words "in time of peace". As a consequence of that amendment, 10:291e (1st 26 words) is omitted as surplusage. Clause (2) is substituted for 10:291c-1 (less last 10 words). The words "commissioned officers or warrant", in 10:291c-1, are omitted as surplusage. In clause (4), the last 19 words are substituted for the words "any other".

**[§ 8692. Repealed. Pub. L. 92-168, § 3(1), Nov. 24, 1971, 85 Stat. 489]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 538, provided qualifications to receive a rating of pilot in time of peace. See section 2003 of this title.

**[§ 8693. Repealed. Pub. L. 90-235, § 7(a)(3), Jan. 2, 1968, 81 Stat. 763]**

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 538, provided for replacement of a lost or destroyed certificate of discharge from Air Force. See section 1040 of this title.

**CHAPTER 855—HOSPITALIZATION**

Sec.

[8721, 8722. Repealed.]

8723. When Secretary may require.

AMENDMENTS

1986—Pub. L. 99-661, div. A, title VI, §604(f)(1)(B)(v), Nov. 14, 1986, 100 Stat. 3877, struck out item 8721 "Members of Air Force, other than of Regular Air Force" and item 8722 "Members of C.A.T.C.; members of Air Force not covered by section 8721 of this title".

1958—Pub. L. 85-861, §1(190)(D), Sept. 2, 1958, 72 Stat. 1534, struck out reference to members of the A.F.R.O.T.C. in item 8722.

**[§§ 8721, 8722. Repealed. Pub. L. 99-661, div. A, title VI, § 604(f)(1)(A), Nov. 14, 1986, 100 Stat. 3877]**

Section 8721, acts Aug. 10, 1956, ch. 1041, 70A Stat. 538; Sept. 2, 1958, Pub. L. 85-861, §1(190)(A), 72 Stat. 1534, related to hospital benefits for members of Air Force, other than of Regular Air Force.

Section 8722, acts Aug. 10, 1956, ch. 1041, 70A Stat. 539; Sept. 2, 1958, Pub. L. 85-861, §1(190)(B), (C), 72 Stat. 1534, related to hospital and related benefits for members of a Citizens' Air Training Camp and for members of Air Force not covered by section 8721 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.

**§ 8723. When Secretary may require**

The Secretary of the Air Force may order the hospitalization, medical and surgical treatment, and domiciliary care for as long as necessary, of any member of the Air Force 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. 539; Pub. L. 99-661, div. A, title VI, § 604(f)(1)(D), Nov. 14, 1986, 100 Stat. 3878; Pub. L. 100-26, §7(j)(11), Apr. 21, 1987, 101 Stat. 283.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8723 .....	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 references 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 sections 62—" are omitted as covered by the words "active duty". The words "so long as any or all are necessary" and "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