

110–181, div. A, title X, §1063(c)(7)(B), Jan. 28, 2008, 122 Stat. 323; Pub. L. 114–328, div. A, title VI, §671(b)(2), Dec. 23, 2016, 130 Stat. 2173; renumbered §8271, Pub. L. 115–232, div. A, title VIII, §807(b)(10), Aug. 13, 2018, 132 Stat. 1835.)

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 6161 of this title as this section.

2016—Subsec. (a). Pub. L. 114–328 substituted “as a member of the naval service, whether as a regular or a reserve in active status” for “on active duty as a member of the naval service”.

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 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE OF 2016 AMENDMENT

Amendment by Pub. L. 114–328 effective Dec. 23, 2016, and applicable with respect to debt incurred on or after Oct. 7, 2001, see section 671(b)(5) of Pub. L. 114–328, set out as a note under section 7837 of this title.

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 7837 of this title.

CHAPTER 833—HOSPITALIZATION AND MEDICAL CARE

Sec.
8281. Members of the naval service in other United States hospitals.
8282. Insane members of the naval service.
8283. Emergency medical treatment: reimbursement for expense.

PRIOR PROVISIONS

A prior chapter 833, consisting of sections 8251 to 8263, related to enlistments, prior to renumbering as chapter 913 of this title.

AMENDMENTS

2018—Pub. L. 115–232, div. A, title VIII, §807(e)(2)(A), (f)(1), Aug. 13, 2018, 132 Stat. 1837, 1838, redesignated chapter 563 of this title as this chapter and items 6201 to 6203 as 8281 to 8283, respectively.

§8281. 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, §6201; 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; renumbered §8281, Pub. L. 115–232, div. A, title VIII, §807(b)(11), Aug. 13, 2018, 132 Stat. 1832, 1835.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6201(a), (b), 6201(c)	24 U.S.C. 31.	Jan. 19, 1929, ch. 85, 45 Stat. 1090.
	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 hos-

pital 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 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.

PRIOR PROVISIONS

A prior section 8281 was renumbered section 9151 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6201 of this title as this section.

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 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

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.

§ 8282. 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, §6202; renumbered §8282, Pub. L. 115-232, div. A, title VIII, §807(b)(11), Aug. 13, 2018, 132 Stat. 1835.)

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.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6202 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8283. 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, §6203; renumbered §8283, Pub. L. 115-232, div. A, title VIII, §807(b)(11), Aug. 13, 2018, 132 Stat. 1835.)

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.

PRIOR PROVISIONS

Prior sections 8284 and 8285 were repealed by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981.

Section 8284, act Aug. 10, 1956, ch. 1041, 70A Stat. 507, provided that appointments in commissioned grades in Regular Air Force be made by President, by and with advice and consent of Senate. See section 531 of this title.

Section 8285, acts Aug. 10, 1956, ch. 1041, 70A Stat. 507; Aug. 21, 1957, Pub. L. 85-155, title III, §301(4), 71 Stat. 386; Sept. 2, 1958, Pub. L. 85-861, §1(167), 72 Stat. 1516, prescribed eligibility requirements for original appointment in a commissioned grade in Regular Air Force, except designation as a medical or dental officer and except a graduating cadet. See section 532 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6203 of this title as this section.