

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omitted because the Administrator of Veterans' Affairs held in Decision Number 571 (July 27, 1944) that R.S. 4813 was repealed by implication.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 L. 85-861 repealed subsec.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.

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.

CHAPTER 835—BANDS

Sec.

8286. United States Navy Band; officer in charge.
8287. United States Marine Band; United States Marine Drum and Bugle Corps: composition; appointment and promotion of members.

PRIOR PROVISIONS

A prior chapter 835, consisting of sections 8281 to 8314, related to appointments in the regular Air Force, prior to renumbering as chapter 915 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 565 of this title as this chapter and items 6221 and 6222 as 8286 and 8287, respectively.

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.

§ 8286. 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 8139 or 8146 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 8146(d) of this title.

(Aug. 10, 1956, ch. 1041, 70A Stat. 388, §6221; 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; renumbered §8286 and amended Pub. L. 115-232, div. A, title VIII, §§807(b)(12), 809(a), Aug. 13, 2018, 132 Stat. 1835, 1840.)

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.

PRIOR PROVISIONS

A prior section 8286, acts Aug. 10, 1956, ch. 1041, 70A Stat. 507; Aug. 21, 1957, Pub. L. 85-155, title III, §301(5), 71 Stat. 386; Sept. 2, 1958, Pub. L. 85-861, §1(168), 72 Stat. 1517, prescribed age limitations for original appointment in a commissioned grade in Regular Air Force, except designation as a medical or dental officer or as an Air Force nurse or medical specialist, prior to repeal by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 532 of this title.

AMENDMENTS

2018—Pub. L. 115-232, §807(b)(12), renumbered section 6221 of this title as this section.

Subsec. (b)(1). Pub. L. 115-232, §809(a), substituted “section 8139 or 8146” for “section 5589 or 5596”.

Subsec. (b)(2). Pub. L. 115-232, §809(a), substituted “section 8146(d)” for “section 5596(d)”.

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 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.

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.

§ 8287. 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