

**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 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.