

as well as the actual presenting of the decoration. The words “but not in the name of Congress” are omitted as surplusage, since a decoration is presented in the name of Congress only if the law so directs. The words “Navy or the Marine Corps” are substituted for the words “Navy of the United States” because the provision is interpreted as authorizing the award of the medal to persons serving with the Marine Corps. The words “since December 6, 1941, has distinguished himself” are omitted as executed.

AMENDMENTS

1963—Pub. L. 88-77 enlarged the authority to award a silver star medal, which was limited to those cases in which persons distinguished themselves in action, to permit its award for gallantry while engaged in an action against an enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

§ 6245. Distinguished flying cross

The President may award a distinguished flying cross of appropriate design with accompanying ribbon to any person who, while serving in any capacity with the Navy or the Marine Corps, distinguishes himself by heroism or extraordinary achievement while participating in an aerial flight.

(Aug. 10, 1956, ch. 1041, 70A Stat. 390.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6245	34 U.S.C. 364a (1st sentence, less 1st 9 words, and less 2d and 3d sentences).	July 2, 1926, ch. 721, § 12 (1st sentence, less 1st 9 words, and less 2d and 3d sentences), 44 Stat. 789; July 30, 1937, ch. 545, § 4, 50 Stat. 549.

The word “award” is substituted for the word “present” to cover the determination of the recipient as well as the actual presenting of the decoration. The words “but not in the name of Congress” are omitted as surplusage, since a decoration is presented in the name of Congress only if the law so directs. The proviso of the first sentence of 34 U.S.C. 364a is omitted as executed. The words “Navy or the Marine Corps” are substituted for the words “United States Navy” because the provision is interpreted as authorizing the award of the decoration to persons serving with the Marine Corps as well as with the Navy. The words “and notwithstanding the provisions of section 14 of this Act,” which are not now contained in title 34, are omitted as unnecessary. The words “since the 6th day of April, 1917, has distinguished, or who, after July 2, 1926,” are omitted as executed.

§ 6246. Navy and Marine Corps Medal

(a) The President may award a medal called the “Navy and Marine Corps Medal” of appropriate design with accompanying ribbon, together with a rosette or other device to be worn in place thereof—

(1) to any person who, while serving in any capacity with the Navy or the Marine Corps, distinguishes himself by heroism not involving actual conflict with an enemy; or

(2) to any person to whom the Secretary of the Navy, before August 7, 1942, awarded a letter of commendation for heroism, and who applies for that medal, regardless of the date of the act of heroism.

(b) The authority in subsection (a) includes authority to award the medal to a member of the Ready Reserve who was not in a duty status defined in section 101(d) of this title when the member distinguished himself by heroism.

(Aug. 10, 1956, ch. 1041, 70A Stat. 390; Pub. L. 105-85, div. A, title V, § 574(b), Nov. 18, 1997, 111 Stat. 1758.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6246	34 U.S.C. 356b.	Feb. 4, 1919, ch. 14, § 5; added Aug. 7, 1942, ch. 551, § 1, 56 Stat. 744.

The word “award” is substituted for the word “present” to cover the determination of the recipient as well as the actual presenting of the award. The words “but not in the name of Congress” are omitted since a decoration is presented in the name of Congress only if the law so directs. The words “including the Naval Reserve and Marine Corps Reserve” are omitted as covered by the definitions of the Navy and the Marine Corps. The last sentence, relating to additional pay, is omitted for the reason that, under the Career Compensation Act of 1949 (37 U.S.C. 231 et seq.), there is no additional pay authorized for any medal. The words “since December 6, 1941” are omitted as executed. The words “or herself” are omitted as covered by the rules of construction in 1 U.S.C. 1.

AMENDMENTS

1997—Pub. L. 105-85 designated existing provisions as subsec. (a) and added subsec. (b).

§ 6247. Additional awards

Not more than one medal of honor, Navy cross, distinguished-service medal, silver star medal, distinguished flying cross, or Navy and Marine Corps Medal may be awarded to a person. However, for each succeeding act or service that would otherwise justify the award of such a medal or cross, the President may award a suitable bar, emblem, or insignia to be worn with the decoration and corresponding rosette or other device.

(Aug. 10, 1956, ch. 1041, 70A Stat. 390.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6247	34 U.S.C. 358.	Feb. 4, 1919, ch. 14, § 40 Stat. 1056; renumbered § 7 and amended Aug. 7, 1942, ch. 551, § 1, 56 Stat. 744.
	34 U.S.C. 364a (2d sentence).	July 2, 1926, ch. 721, § 12 (2d sentence), 44 Stat. 789; July 30, 1937, ch. 545, § 4, 50 Stat. 549.

The word “awarded” is substituted for the word “issued” for uniformity. The words “that would otherwise justify” are substituted for the words “sufficient to justify” for clarity. The word “service” is substituted for the word “achievement” for uniformity. The words “as he shall direct” are omitted as surplusage.

§ 6248. Limitations of time

(a) Except as provided in section 6246 of this title or subsection (b), no medal of honor, Navy cross, distinguished-service medal, silver star medal, Navy and Marine Corps Medal, or bar, emblem, or insignia in place thereof may be awarded to a person unless—