

(Aug. 10, 1956, ch. 1041, 70A Stat. 542; Pub. L. 86-593, §1(6), July 6, 1960, 74 Stat. 332; Pub. L. 105-85, div. A, title V, §574(c), Nov. 18, 1997, 111 Stat. 1758.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8750(a)	10:1428 (less last sentence).	July 2, 1926, ch. 721, §11, 44 Stat. 789.
8750(b)	10:1428 (last sentence).	

The words “Under such rules and regulations as he may prescribe” are omitted, since the President has inherent authority to issue regulations appropriate to exercising his functions. The words “but not in the name of Congress” are omitted as surplusage, since a medal is presented in the name of Congress only if the law so directs. The word “award” is substituted for the word “present” to cover the determination of the recipients as well as the actual presentation of the medal. The words “a decoration called” are substituted for the words “a medal to be known as”. The words “including the National Guard and the Organized Reserves” are omitted as surplusage. The words “or herself” are omitted, since, under section 1 of title 1, words importing the masculine gender include the feminine. The words “after July 2, 1926” are omitted as executed.

In subsection (b), the words “that would otherwise justify” are substituted for the words “sufficient to”.

AMENDMENTS

1997—Subsec. (a). Pub. L. 105-85 designated existing provisions as par. (1) and added par. (2).

1960—Pub. L. 86-593 substituted “Airman’s Medal” for “Soldier’s Medal” in section catchline and wherever appearing in text.

§ 8751. Service medals: issue; replacement; availability of appropriations

(a) The Secretary of the Air Force shall procure, and issue without charge to any person entitled thereto, any service medal authorized for members of the Air Force after September 26, 1947, and any ribbon, clasp, star, or similar device prescribed as a part of that medal.

(b) Under such regulations as the Secretary may prescribe, any medal or other device issued under subsection (a) that is lost, destroyed, or becomes unfit for use without fault or neglect of the owner, may be replaced at cost. However, if the owner is a member of the Air Force, the medal or device may be replaced without charge.

(c) The Secretary may spend, from any appropriation for the support of the Air Force, amounts necessary to provide medals and devices under this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 542.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8751(a)	10:1415a (less 21st through 30th words, and less clauses (a) through (n)).	May 12, 1928, ch. 528, §1 (less 25th through 34th words, and less clauses (a) through (n)), 2 (less applicability to §1 (clauses (a) through (n))), 3 (less applicability to §1 (clauses (a) through (n))), 45 Stat. 500.
8751(b)	10:1415b (less applicability to 10:1415a (clauses (a) through (n))).	
8751(c)	10:1415c (less applicability to 10:1415a (clauses (a) through (n))).	

In subsection (a), the words “authorized for members of the Air Force after September 26, 1947” are substituted for the words “hereafter authorized”, since, under Transfer Order 1, that date was the effective date

of the transfer of personnel from the Army to the Air Force under section 208(e) of the National Security Act of 1947, as amended (5 U.S.C. 626c(e)). 10:1415a (proviso) is omitted as surplusage, since the revised section is not limited to persons who are members of the Air Force at the time of the issue.

In subsection (b), the words “member of the Air Force” are substituted for the words “persons in the military service of the United States”.

In subsection (c), the last 16 words are substituted for 10:1415c (last 16 words).

§ 8752. Medals: posthumous award and presentation

(a) If a person dies before the award of a medal of honor, distinguished-service cross, distinguished-service medal, distinguished flying cross, or device in place thereof, to which he is entitled, the award may be made and the medal or device presented to his representative, as designated by the President.

(b) If a person dies before an authorized service medal or device prescribed as a part thereof is presented to him under section 8751 of this title, it shall be presented to his family.

(Aug. 10, 1956, ch. 1041, 70A Stat. 542; Pub. L. 85-861, §33(a)(23), Sept. 2, 1958, 72 Stat. 1565.)

HISTORICAL AND REVISION NOTES

1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8752(a)	10:1409 (words between 1st and 2d semicolons). 10:1429 (1st 49 words of last sentence).	July 9, 1918, ch. 143 (words between 1st and 2d semicolons of 15th par. under “Ordnance Department”), 40 Stat. 871.
8752(b)	10:1415a (21st through 30th words, less applicability to clauses (a) through (n)).	July 2, 1926, ch. 721, §12 (1st 49 words of last sentence), 44 Stat. 789; July 30, 1937, ch. 545, §4, 50 Stat. 549; May 12, 1928, ch. 528, §1 (25th through 34th words, less applicability to clauses (a) through (n)), 45 Stat. 500.

In subsection (a), the words “If a person” are substituted for the words “In case an individual * * * dies”, in 10:1409, and “In case an individual * * * shall have died”, in 10:1429. The words “within three years from the date”, in 10:1409, are omitted as covered by section 8744 of this title. The words “who shall distinguish himself”, in 10:1409, and “who distinguishes himself”, in 10:1429, are omitted as covered by the words “the award * * * to which he is entitled”.

1958 ACT

The change reflects the fact that the source statute for these sections (sec. 1 of the Act of May 12, 1928, ch. 528, 45 Stat. 500) was mandatory and not merely permissive.

AMENDMENTS

1958—Subsec. (b). Pub. L. 85-861 substituted “it shall be presented” for “it may be presented”.

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment by Pub. L. 85-861 effective Aug. 10, 1956, see section 33(g) of Pub. L. 85-861, set out as a note under section 101 of this title.

§ 8754. Medal of honor: duplicate medal

A person awarded a medal of honor shall, upon written application of that person, be issued,