

1, words importing the masculine gender include the feminine. The words “or who shall distinguish” are omitted as surplusage.

§ 3744. Medal of honor; distinguished-service cross; distinguished-service medal: limitations on award

(a) No more than one distinguished-service cross or distinguished-service medal may be awarded to a person. However, for each succeeding act that would otherwise justify the award of such a medal or cross, the President may award a suitable bar or other device to be worn as he directs.

(b) Except as provided in subsection (d), no medal of honor, distinguished-service cross, distinguished-service medal, or device in place thereof, may be awarded to a person unless—

- (1) the award is made within five years after the date of the act justifying the award;
- (2) a statement setting forth the distinguished service and recommending official recognition of it was made within three years after the distinguished service; and
- (3) it appears from records of the Department of the Army that the person is entitled to the award.

(c) No medal of honor, distinguished-service cross, distinguished-service medal, or device in place thereof, may be awarded or presented to a person whose service after he distinguished himself has not been honorable.

(d) If the Secretary of the Army determines that—

- (1) a statement setting forth the distinguished service and recommending official recognition of it was made and supported by sufficient evidence within three years after the distinguished service; and
- (2) no award was made, because the statement was lost or through inadvertence the recommendation was not acted on;

a medal of honor, distinguished-service cross, distinguished-service medal, or device in place thereof, as the case may be, may be awarded to the person concerned within two years after the date of that determination.

(Aug. 10, 1956, ch. 1041, 70A Stat. 216; Pub. L. 86-582, §1(1), July 5, 1960, 74 Stat. 320; Pub. L. 113-66, div. A, title V, §§561(a), 562(a), Dec. 26, 2013, 127 Stat. 766.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3744(a)	10:1411.	July 9, 1918, ch. 143 (12th par., less words after 2d semicolon, under “Ordnance Department”); restated Jan. 24, 1920, ch. 55, §1 (less last sentence), 41 Stat. 398.
3744(b)	10:1409 (words before 1st semicolon).	July 9, 1918, ch. 143 (less words between 1st and 2d semicolons of 15th par. under “Ordnance Department”), 40 Stat. 871.
3744(c)	10:1409 (words after 2d semicolon).	

In subsection (a), the words “may be awarded to a person” are substituted for the words “shall be issued to any one person” to conform to the other subsections of the revised section.

In subsection (b), the word “thereof” is substituted for the words “of either of said medal or of said cross”. The words “Except as otherwise prescribed in this section”, “at the time of”, “specific”, “official”, and “has so distinguished himself as” are omitted as surplusage.

In subsection (c), 10:1409 (words after 3d semicolon) is omitted as executed. The words “hereinbefore authorized” are omitted as surplusage.

AMENDMENTS

2013—Subsec. (a). Pub. L. 113-66, §561(a), substituted “distinguished-service cross” for “medal of honor, distinguished-service cross.”.

Subsec. (b)(1). Pub. L. 113-66, §562(a)(1)(A), substituted “five years” for “three years”.

Subsec. (b)(2). Pub. L. 113-66, §562(a)(1)(B), substituted “three years” for “two years”.

Subsec. (d)(1). Pub. L. 113-66, §562(a)(2), substituted “three years” for “two years”.

1960—Subsec. (b). Pub. L. 86-582, §1(1)(A), substituted “Except as provided in subsection (d), no” for “No.”

Subsec. (d). Pub. L. 86-582, §1(1)(B), added subsec. (d).

§ 3745. Medal of honor; distinguished-service cross; distinguished-service medal: delegation of power to award

The President may delegate his authority to award the medal of honor, distinguished-service cross, and distinguished-service medal, to a commanding general of a separate army or higher unit in the field.

(Aug. 10, 1956, ch. 1041, 70A Stat. 216.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3745	10:1410.	July 9, 1918, ch. 143 (16th par., less words after semicolon, under “Ordnance Department”), 40 Stat. 872.

The words “under such conditions, regulations, and limitations as he shall prescribe” are omitted as surplusage. The words “his authority” are substituted for the words “the power conferred upon him by sections 1403, 1406-1408, 1409-1412, 1416, 1420, 1422, 1423, and 1424 of this title”.

§ 3746. Silver star: award

The President may award a silver star of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Army, is cited for gallantry in action that does not warrant a medal of honor or distinguished-service cross—

- (1) while engaged in an action against an enemy of the United States;
- (2) while engaged in military operations involving conflict with an opposing foreign force; or
- (3) 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.

(Aug. 10, 1956, ch. 1041, 70A Stat. 216; Pub. L. 88-77, §1(3), July 25, 1963, 77 Stat. 93.)