

place thereof, as the case may be, may be awarded to the person within two years after the date of that determination.

(Aug. 10, 1956, ch. 1041, 70A Stat. 390; Pub. L. 86-582, §1(2), July 5, 1960, 74 Stat. 320.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6248 .....	34 U.S.C. 360.	Feb. 4, 1919, ch. 14, §7, 40 Stat. 1056; renumbered §9 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 744.

The words "Except as provided in section 6246 of this title" are substituted for the words "That except as otherwise prescribed herein" to identify the only exception. The words "may be awarded to a person" are substituted for the words "shall be issued to any person" for uniformity. The words "specific", "or report distinctly", and "at the time of" are omitted as surplusage. The words "bar, emblem, or insignia" are substituted for the words "or bar or other suitable emblem or insignia" for uniformity. The words "from the date of that act or service" are substituted for the word "thereafter".

AMENDMENTS

1960—Pub. L. 86-582 designated existing provisions as subsec. (a), inserted "or subsection (b)" after "title", and added subsec. (b).

§ 6249. Limitation of honorable service

No medal, cross, or bar, or associated emblem or insignia may be awarded or presented to any person or to his representative if his service after he distinguished himself has not been honorable.

(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>
6249 .....	34 U.S.C. 362.  34 U.S.C. 364a (last 31 words of 3d sentence).	Feb. 4, 1919, ch. 14, §8 (1st proviso), 40 Stat. 1057; renumbered §10 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 745. July 2, 1926, ch. 721, §12 (last 31 words of 3d sentence), 44 Stat. 789. July 30, 1937, ch. 545, §4, 50 Stat. 549.

The word "associated" is substituted for the word "other" to relate the medal or cross to its emblem or insignia. The word "entire" is omitted as surplusage.

§ 6250. Posthumous awards

If a person who distinguishes himself dies before an award to which he is entitled is made, the award may be made and the medal, cross, or bar, or associated emblem or insignia may be presented, within five years from the date of the act or service justifying the award, to his representative as designated by the President.

(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>
6250 .....	34 U.S.C. 363.	Feb. 4, 1919, ch. 14, §8 (less 1st and 2d provisos), 40 Stat. 1057; renumbered §10 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 745.

HISTORICAL AND REVISION NOTES—CONTINUED

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
	34 U.S.C. 364a (3d sentence, less last 31 words).	July 2, 1926, ch. 721, §12 (3d sentence, less last 31 words), 44 Stat. 789; July 30, 1937, ch. 545, §4, 50 Stat. 549.

The word "associated" is substituted for the word "other" to relate the medal or cross to its emblem or insignia.

§ 6251. Delegation of power to award

The President may delegate, under such conditions as he prescribes, to flag and general officers who are commanders-in-chief or commanding on important independent duty, his authority to award the Navy cross, the distinguished-service medal, the silver star medal, or the Navy and Marine Corps Medal.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6251 .....	34 U.S.C. 364 (less 10th, and last 47 words).	Feb. 4, 1919, ch. 14, §9 (less applicability to regulations), 40 Stat. 1057; renumbered §11 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 745.

The term "flag officers" is used generically in 34 U.S.C. 364. Officers of the Marine Corps who meet the duty requirements, if in the equivalent grades, are, therefore, within its terms and the authority to make the awards has been delegated to such officers.

§ 6252. Regulations

The President may prescribe regulations for the administration of the preceding sections of this chapter.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6252 .....	34 U.S.C. 364 (10th, and last 47 words).  34 U.S.C. 364a (1st 9 words of 1st sentence).	Feb. 4, 1919, ch. 14, §9 (as applicable to regulations), 40 Stat. 1057; renumbered §11 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 745. July 2, 1926, ch. 721, §12 (1st 9 words of 1st sentence), 44 Stat. 789; July 30, 1937, ch. 545, §4, 50 Stat. 549.

The words "further", "from time to time any and all rules", "orders which he shall deem necessary", and "to execute full purpose and intention thereof" are omitted as surplusage.

§ 6253. Replacement

The Secretary of the Navy may replace without charge any medal of honor, Navy cross, distinguished-service medal, silver star medal, or Navy and Marine Corps Medal, or any associated bar, emblem, or insignia awarded under this chapter that is stolen, lost, or destroyed or becomes unfit for use without fault or neglect on the part of the person to whom it was awarded.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391; Pub. L. 107–107, div. A, title V, § 553(b)(2), Dec. 28, 2001, 115 Stat. 1116.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6253 .....	34 U.S.C. 359 (proviso).	Feb. 4, 1919, ch. 14, § 6 (proviso), 40 Stat. 1056; renumbered § 8 and amended Aug. 7, 1942, ch. 551, § 1, 56 Stat. 744.

The words “Secretary of the Navy may replace” are substituted for the words “Provided, That such replacement shall be made only in those cases where”.

## AMENDMENTS

2001—Pub. L. 107–107 substituted “stolen, lost, or destroyed” for “lost or destroyed”.

**§ 6254. Availability of appropriations**

The Secretary of the Navy may spend from appropriations for the pay of the Navy or the Marine Corps, as appropriate, amounts necessary to provide and replace medals of honor, Navy crosses, distinguished-service medals, silver star medals, and Navy and Marine Corps Medals, and associated bars, emblems, and insignia.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6254 .....	34 U.S.C. 359 (less proviso).	Feb. 4, 1919, ch. 14, § 6 (less proviso), 40 Stat. 1056; renumbered § 8 and amended Aug. 7, 1942, ch. 551, § 1, 56 Stat. 744.

The words “the appropriations for the pay of the Navy or the Marine Corps, as appropriate”, are substituted for the words “the appropriation ‘Pay, subsistence, and transportation of naval personnel’”, to identify by a general description, rather than by the specific appropriation title, the appropriation authorized to be used. Specific appropriation titles vary from one appropriation act to the next. The permanent authority contained in 34 U.S.C. 359 for the Secretary of the Navy to use appropriations available for the pay of the Navy and the Marine Corps is not affected by a change in the titles of those appropriations nor is it affected by a specific authorization in an appropriation act to use, during the life of the act, a different type of appropriation.

**§ 6255. Commemorative or special medals: facsimiles and ribbons**

Under regulations prescribed by the Secretary of the Navy, members of the naval service may wear, in place of commemorative or special medals awarded to them, miniature facsimiles of such medals and ribbons symbolic of the awards.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6255 .....	34 U.S.C. 358a.	Apr. 25, 1935, ch. 82, 49 Stat. 162.

The words “members of the naval service may” are substituted for the words “That authority is hereby

granted to personnel of the Navy and Marine Corps” for clarity.

**§ 6256. Medal of honor: duplicate medal**

A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Navy may determine, as a duplicate or for display purposes only.

(Added Pub. L. 107–107, div. A, title V, § 553(b)(1)(A), Dec. 28, 2001, 115 Stat. 1116.)

**§ 6257. Medal of honor: presentation of Medal of Honor Flag**

The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 6241 of this title. Presentation of the flag shall be made at the same time as the presentation of the medal under section 6241 or 6250 of this title. In the case of a posthumous presentation of the medal, the flag shall be presented to the person to whom the medal is presented.

(Added Pub. L. 107–248, title VIII, § 8143(c)(2)(A), Oct. 23, 2002, 116 Stat. 1570; amended Pub. L. 107–314, div. A, title X, § 1062(a)(16), Dec. 2, 2002, 116 Stat. 2650; Pub. L. 109–364, div. A, title V, § 555(a), Oct. 17, 2006, 120 Stat. 2217.)

## CODIFICATION

Another section 6257 was renumbered section 6258 of this title.

## AMENDMENTS

2006—Pub. L. 109–364 struck out “after October 23, 2002” after “section 6241 of this title” and inserted at end “In the case of a posthumous presentation of the medal, the flag shall be presented to the person to whom the medal is presented.”

2002—Pub. L. 107–314 substituted “October 23, 2002” for “the date of the enactment of this section”.

## PRESENTATION OF FLAG FOR PRIOR RECIPIENTS OF MEDAL OF HONOR

President to provide for the presentation of the Medal of Honor Flag to living recipients of the Medal of Honor as expeditiously as possible after Oct. 17, 2006, and for posthumous presentation to survivors of deceased recipients upon written application therefor, see section 555(b) of Pub. L. 109–364, set out as a note under section 3755 of this title.

**§ 6258. Korea Defense Service Medal**

(a) The Secretary of the Navy shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Navy or Marine Corps served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for the award of that medal prescribed under subsection (c).

(b) In this section, the term “KDSM eligibility period” means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.