

§ 3742. Distinguished-service cross: award

The President may award a distinguished-service cross of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Army, distinguishes himself by extraordinary heroism not justifying the award of a medal of honor—

- (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. 215; Pub. L. 88-77, §1(2), July 25, 1963, 77 Stat. 93.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3742	10:1406.	July 9, 1918, ch. 143 (9th par. under "Ordnance Department"), 40 Stat. 870.

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 words "since the 6th day of April, 1917" are omitted as executed. 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, and to conform to other sections of this chapter. The words "or herself" are omitted, since, under section 1 of title 1, words importing the masculine gender include the feminine. The words "or who shall hereafter distinguish" are omitted as surplusage.

AMENDMENTS

1963—Pub. L. 88-77 enlarged authority to award the distinguished-service cross, which was limited to those cases in which persons distinguished themselves in connection with military operations against an armed enemy, to permit its award for extraordinary heroism not justifying award of a medal of honor, while engaged in an action against an enemy of 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 United States is not a belligerent party.

§ 3743. Distinguished-service medal: award

The President may award a distinguished-service medal of appropriate design and a ribbon, together with a rosette or other device to be worn in place thereof, to a person who, while serving in any capacity with the Army, distinguishes himself by exceptionally meritorious service to the United States in a duty of great responsibility.

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

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3743	10:1407.	July 9, 1918, ch. 143 (10th par., less words after 1st semicolon, under "Ordnance Department"), 40 Stat. 870.

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 words "since the 6th day of April, 1917" are omitted as executed. 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, and to conform to other sections of this chapter. The words "or herself" are omitted, since, under section 1 of title 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

Revised section	Source (U.S. Code)	Source (Statutes at Large)
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).	
3744(c)	10:1409 (words after 2d semicolon).	