

§ 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).	

HISTORICAL AND REVISION NOTES—CONTINUED

Revised section	Source (U.S. Code)	Source (Statutes at Large)
		July 9, 1918, ch. 143 (less words between 1st and 2d semicolons of 15th par. under "Ordnance Department"), 40 Stat. 871.

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

Revised section	Source (U.S. Code)	Source (Statutes at Large)
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 oppos-

ing 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.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3746	10:1412.	July 9, 1918, ch. 143 (words after 2d semicolon of 12th par. under "Ordnance Department"); restated Jan. 24, 1920, ch. 55, § 1 (last sentence); restated Dec. 15, 1942, ch. 736, 56 Stat. 1052.

The words "may award" are inserted to conform to other sections of this chapter. The words "if the person earned" are inserted for clarity. The words "commanded by" are omitted as surplusage.

AMENDMENTS

1963—Pub. L. 88-77 substituted provisions permitting the issuance of a silver star 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, and requiring it to be of appropriate design, for provisions which authorized the issuance of the silver star for gallantry in action and which required that the silver star be three-sixteenths of an inch in diameter, the citation thereof be published in orders issued from the headquarters of a force that is the appropriate command of a general officer, and that it be worn as directed by the President.

EXECUTIVE ORDER NO. 9419

Ex. Ord. No. 9419, Feb. 4, 1944, 9 F.R. 1495, which authorized award of Bronze Star Medal, was superseded by Ex. Ord. No. 11046, Aug. 24, 1962, 27 F.R. 8575, as amended, set out below.

EX. ORD. NO. 11046. BRONZE STAR MEDAL

Ex. Ord. No. 11046, Aug. 24, 1962, 27 F.R. 8575, as amended by Ex. Ord. No. 11382, Nov. 28, 1967, 32 F.R. 16247; Ex. Ord. No. 13286, § 70, Feb. 28, 2003, 68 F.R. 10630, provided:

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the armed forces of the United States, it is hereby ordered as follows:

1. The Bronze Star Medal, with accompanying ribbons and appurtenances, which was first established by Executive Order No. 9419 of February 4, 1944, may be awarded by the Secretary of a military department or the Secretary of Homeland Security with regard to the Coast Guard when not operating as a service in the Navy, or by such military commanders, or other appropriate officers as the Secretary concerned may designate, to any person who, while serving in any capacity in or with the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States, after December 6, 1941, distinguishes, or has distinguished, himself by heroic or meritorious achievement or service not involving participation in aerial flight—

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

2. The Bronze Star Medal and appurtenances thereto shall be of appropriate design approved by the Secretary of Defense, and shall be awarded under such reg-