

not refer to members of the Air National Guard of the United States and are therefore omitted from the revised section. 10:455e (1st proviso) and 32:164d (1st proviso) are omitted, since they apply only to the National Guard and are covered by section 320 of title 32.

AMENDMENTS

1987—Pub. L. 100-26 struck out comma after “disease”.

1986—Pub. L. 99-661 substituted “incurred an injury, illness, or disease” for “was injured, or contracted a disease”.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-661 applicable with respect to persons who, after Nov. 14, 1986, incur or aggravate an injury, illness, or disease or die, see section 604(g) of Pub. L. 99-661, set out as a note under section 1074a of this title.

CHAPTER 857—DECORATIONS AND AWARDS

Sec.

- 8741. Medal of honor: award.
- 8742. Air Force cross: award.
- 8743. Distinguished-service medal: award.
- 8744. Medal of honor; Air Force cross; distinguished-service medal: limitations on award.
- 8745. Medal of honor; Air Force cross; distinguished-service medal: delegation of power to award.
- 8746. Silver star: award.
- 8747. Medal of honor; Air Force cross; distinguished-service cross; distinguished-service medal; silver star: replacement.
- 8748. Medal of honor; Air Force cross; distinguished-service cross; distinguished-service medal; silver star: availability of appropriations.
- 8749. Distinguished flying cross: award; limitations.
- 8750. Airman’s Medal: award; limitations.
- 8751. Service medals: issue; replacement; availability of appropriations.
- 8752. Medals: posthumous award and presentation.
- 8754. Medal of honor: duplicate medal.
- 8755. Medal of honor: presentation of Medal of Honor Flag.
- 8756. Korea Defense Service Medal.

AMENDMENTS

2004—Pub. L. 108-375, div. A, title X, §1084(d)(33), Oct. 28, 2004, 118 Stat. 2063, renumbered item 8755 “Korea Defense Service Medal” as 8756.

2002—Pub. L. 107-314, div. A, title V, §543(d)(2), Dec. 2, 2002, 116 Stat. 2550, added item 8755 “Korea Defense Service Medal”.

Pub. L. 107-248, title VIII, §8143(c)(3)(B), Oct. 23, 2002, 116 Stat. 1571, added item 8755 “Medal of honor: presentation of Medal of Honor Flag”.

2001—Pub. L. 107-107, div. A, title V, §553(c)(1)(B), Dec. 28, 2001, 115 Stat. 1116, added item 8754.

1960—Pub. L. 86-593, §1(7), July 6, 1960, 74 Stat. 332, substituted “Air Force cross” for “distinguished-service cross” in items 8742, 8744, and 8745, inserted “Air Force cross;” in items 8747 and 8748, and substituted “Airman’s Medal” for “Soldier’s Medal” in item 8750.

EXTENSION OF TIME FOR AWARD OF DECORATION

For extension of time for award of decorations, or devices in lieu of decorations, for acts or services performed in direct support of military operations in Southeast Asia between July 1, 1958, and Mar. 28, 1973, see Pub. L. 93-469, Oct. 24, 1974, 88 Stat. 1422, set out as a note preceding section 3741 of this title.

For extension of time for award of decoration, or device in lieu of decoration, for an act or service performed while on active duty in military or naval forces,

or while serving with such forces, between June 27, 1950, and July 27, 1953, see act Aug. 2, 1956, ch. 877, 70 Stat. 933, set out as a note preceding section 3741 of this title.

MERITORIOUS SERVICE MEDAL

Establishment of, see Ex. Ord. No. 11448, set out as a note preceding section 1121 of this title.

§ 8741. Medal of honor: award

The President may award, and present in the name of Congress, a medal of honor of appropriate design, with ribbons and appurtenances, to a person who, while a member of the Air Force, distinguishes himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—

- (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. 540; Pub. L. 88-77, §3(1), July 25, 1963, 77 Stat. 94.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8741	10:1403.	July 9, 1918, ch. 143, (8th par. under “Ordnance Department”), 40 Stat. 870.

The words “That the provisions of existing law relating to the award of medals of honor to officers, non-commissioned officers, and privates of the Army be, and they hereby are, amended so that”, in the Act of July 9, 1918, ch. 143 (8th par. under “Ordnance Department”), 40 Stat. 870, are not contained in 10:1403. They are also omitted from the revised section as surplusage. The word “member” is substituted for the words “officer or enlisted man”. The word “only” is omitted as surplusage. The word “award” is inserted for clarity, since the President determines the recipient of the medal in addition to presenting it.

AMENDMENTS

1963—Pub. L. 88-77 enlarged the authority to award the medal of honor, which was limited to those cases in which persons distinguished themselves in action involving actual conflict with an enemy, to permit its award for distinguished service 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.

§ 8742. Air Force cross: award

The President may award an Air Force cross of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Air Force, 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