

(Aug. 10, 1956, ch. 1041, 70A Stat. 388; Pub. L. 85-861, §1(140), Sept. 2, 1958, 72 Stat. 1508; Pub. L. 87-649, §14c(45), Sept. 7, 1962, 76 Stat. 501; Pub. L. 91-197, Feb. 24, 1970, 84 Stat. 15; Pub. L. 96-513, title V, §513(18), Dec. 12, 1980, 94 Stat. 2932; Pub. L. 109-364, div. A, title V, §599(a), Oct. 17, 2006, 120 Stat. 2238.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6222	34 U.S.C. 701 (less proviso).	Mar. 4, 1925, ch. 536, §11 (less proviso), 43 Stat. 1274; June 29, 1946, ch. 523, §1(c), 60 Stat. 343; Oct. 12, 1949, ch. 681, §517(a), 63 Stat. 833.

In subsection (b) the second sentence is substituted for the two references to the Career Compensation Act of 1949 and for the words “and with the same number of cumulative years of service”.

1958 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6222(a)	34 App.:701.	July 24, 1956, ch. 686, 70 Stat. 628.
6222(b)	34 App.:701-1(a).	
6222(c)	34 App.:701-1(b).	
6222(d)	34 App.:701-2.	
6222(e)	34 App.:701-3.	
6222(f)	34 App.:701-4.	
6222(g)	34 App.:701-5.	

In subsection (a), the words “and appropriate” are omitted as covered by the word “necessary”. The words “and ranks” are omitted as covered by the word “grades”. The second sentence of 34 App.:701 is omitted as covered by section 6224 of this title.

In subsection (b), the words “United States” and “or the United States Marine Corps Reserve” are omitted as unnecessary in view of the definition of “Marine Corps” in section 5001(a)(2) of this title. The words “as authorized by sections 701 to 701-5 of this title” are omitted as surplusage.

In subsection (e), the words “from the United States . . . as provided by law” are omitted as surplusage.

In subsection (f), the words “a member who holds, or has held” are substituted for the words “Directors and assistant directors of the Marine Band and former directors and assistant directors who have held”.

AMENDMENTS

2006—Pub. L. 109-364 amended section catchline and text generally. Prior to amendment, section consisted of subsecs. (a) to (f) relating to composition of the United States Marine Band, designation of its director and assistant directors, grades upon initial appointment, promotion, retirement, and revocation of appointments.

1980—Subsecs. (e) to (g). Pub. L. 96-513 redesignated subsecs. (f) and (g) as (e) and (f), respectively.

1970—Subsec. (d). Pub. L. 91-197 struck out provision that the grade of the director be no higher than lieutenant colonel and that the grades of the assistant directors be no higher than captain.

1962—Subsec. (e). Pub. L. 87-649 repealed subsec. (e) which related to pay and allowances of members who accepted a commission under this section. See sections 207 and 424 of Title 37, Pay and Allowances of the Uniformed Services.

1958—Pub. L. 85-861 substituted “United States Marine Band” for “United States Marine Corps Band”, and “director; assistant director” for “pay and allowances of leader and second leader” in section catchline.

Subsec. (a). Pub. L. 85-861 authorized one director and two assistant directors instead of one leader and one second leader.

Subsec. (b). Pub. L. 85-861 substituted provisions relating to designation of director and assistant directors

for provisions which prescribed the pay and allowances of the leader and second leader.

Subsecs. (c) to (g). Pub. L. 85-861 added subsecs. (c) to (g).

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87-649 effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as an Effective Date note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

DELEGATION OF FUNCTIONS

Functions of President under subsec. (c)(2) delegated to Secretary of Defense, without authority for Secretary to redelegate, see Ex. Ord. No. 13598, §§1(c), 2, Jan. 27, 2012, 77 F.R. 5371, set out as a note under section 301 of Title 3, The President.

[§ 6223. Repealed. Pub. L. 110-181, div. A, title V, § 590(b)(1), Jan. 28, 2008, 122 Stat. 138]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 388; Pub. L. 101-510, div. A, title III, §327(b), Nov. 5, 1990, 104 Stat. 1532; Pub. L. 102-25, title VII, §701(j)(7), Apr. 6, 1991, 105 Stat. 116, generally prohibited any Navy band or Marine Corps band from competing with civilian musicians. See section 974 of this title.

[§ 6224. Repealed. Pub. L. 87-649, § 14c(46), Sept. 7, 1962, 76 Stat. 501]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 388, provided that members of the United States Navy Band and the United States Marine Corps Band shall lose no allowances while on concert tours approved by the President. See section 425 of Title 37, Pay and Allowances of the Uniformed Services.

EFFECTIVE DATE OF REPEAL

Repeal effective Nov. 1, 1962, see section 15 of Pub. L. 87-649, set out as an Effective Date note preceding section 101 of Title 37, Pay and Allowances of the Uniformed Services.

CHAPTER 567—DECORATIONS AND AWARDS

Sec.	
6241.	Medal of honor.
6242.	Navy cross.
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6244.	Silver star medal.
6245.	Distinguished flying cross.
6246.	Navy and Marine Corps Medal.
6247.	Additional awards.
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6256.	Medal of honor: duplicate medal.
6257.	Medal of honor: presentation of Medal of Honor Flag.
6258.	Korea Defense Service Medal.

AMENDMENTS

2004—Pub. L. 108-375, div. A, title X, §1084(d)(30), Oct. 28, 2004, 118 Stat. 2063, renumbered item 6257 “Korea Defense Service Medal” as 6258.

2002—Pub. L. 107-314, div. A, title V, §543(c)(2), Dec. 2, 2002, 116 Stat. 2550, added item 6257 “Korea Defense Service Medal”.

Pub. L. 107-248, title VIII, §8143(c)(2)(B), Oct. 23, 2002, 116 Stat. 1570, added item 6257 “Medal of honor: presentation of Medal of Honor Flag”.

2001—Pub. L. 107-107, div. A, title V, §553(b)(1)(B), Dec. 28, 2001, 115 Stat. 1116, added item 6256.

EXTENSION OF TIME FOR AWARD OF DECORATION

For extension of time for the 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.

§ 6241. Medal of honor

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 naval service, 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. 389; Pub. L. 88-77, §2(1), July 25, 1963, 77 Stat. 93; Pub. L. 104-106, div. A, title XV, §1503(b)(2), Feb. 10, 1996, 110 Stat. 512.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6241	34 U.S.C. 354.	Feb. 4, 1919, ch. 14, §1, 40 Stat. 1056; Aug. 7, 1942, ch. 551, §1, 56 Stat. 743.

In subsection (a) the word “award” is added for clarity since the President determines the recipient, in addition to presenting the medal in the name of Congress. The words “a member of the naval service” are substituted for the words “in the naval service of the United States” for uniformity. The word “distinguishes” is substituted for the words “shall * * * distinguish” for uniformity.

In subsection (b) the words “of the medal of honor authorized on August 8, 1942” are substituted for the words “adopted pursuant to the Act approved December 21, 1861 (12 Stat. 330)” for the reason that the 1861 Act does not establish the design, and the date of formal adoption of the design of the medal is obscure. The effect of the subsection is to continue the design recognized by 34 U.S.C. 354.

AMENDMENTS

1996—Par. (2). Pub. L. 104-106 inserted “or” after “an opposing foreign force;”.

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, or in the line of his profession, and without detriment to the mission of his command or to the command to which attached, 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, and substituted the requirement that it be of appropriate design, with ribbons and appurtenances, for the requirement that it be the same as that authorized on August 8, 1942.

MERITORIOUS SERVICE MEDAL

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

§ 6242. Navy cross

The President may award a Navy cross of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Navy or Marine Corps, 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. 389; Pub. L. 88-77, §2(2), July 25, 1963, 77 Stat. 94.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6242	34 U.S.C. 356.	Feb. 4, 1919, ch. 14, §3, 40 Stat. 1056; renumbered §2 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 743.

The word “award” is substituted for the word “present” to cover the determination of the recipient as well as the actual presenting of the decoration. The words “but not in the name of Congress” are omitted, since a decoration is presented in the name of Congress only if the law so directs. The words “Navy or the Marine Corps” are substituted for the words “naval service of the United States” for clarity. To be eligible for the award, a person need not be a member of the naval service, but only serving in some capacity either with the Navy or with the Marine Corps.

AMENDMENTS

1963—Pub. L. 88-77 enlarged the authority to award the Navy 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 the award of a medal of honor, 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.

§ 6243. Distinguished-service medal

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 any person who, while serving in any capacity with the Navy or the Marine Corps, distinguishes himself by exceptionally meritorious service to the United States in a duty of great responsibility.

(Aug. 10, 1956, ch. 1041, 70A Stat. 389.)