

recognition of it was made by his superior through official channels within three years from the date of that act or service.

(b) If the Secretary of the Navy determines that—

(1) a statement setting forth the act or distinguished service and recommending official recognition of it was made by the person's superior through official channels within three years from the date of that act or service and was supported by sufficient evidence within that time; and

(2) no award was made, because the statement was lost or through inadvertence the recommendation was not acted on;

a medal of honor, Navy cross, distinguished-service medal, silver star medal, Navy and Marine Corps Medal, or bar, emblem, or insignia in 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, §6248; Pub. L. 86-582, §1(2), July 5, 1960, 74 Stat. 320; renumbered §8298 and amended Pub. L. 115-232, div. A, title VIII, §§807(b)(13), 809(a), Aug. 13, 2018, 132 Stat. 1836, 1840.)

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".

PRIOR PROVISIONS

A prior section 8298, acts Aug. 10, 1956, ch. 1041, 70A Stat. 511; Aug. 21, 1957, Pub. L. 85-155, title III, §301(9), title IV, §401(1), 71 Stat. 387, 390, provided for promotion from grade of second lieutenant to first lieutenant after three years of service, discharge under section 8814 of this title upon failure of promotion, and filling vacancies for first lieutenants with second lieutenants, except Air Force nurses and medical specialists, prior to completion of three years of service, prior to repeal by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 630 of this title.

AMENDMENTS

2018—Pub. L. 115-232, §807(b)(13), renumbered section 6248 of this title as this section.

Subsec. (a). Pub. L. 115-232, §809(a), substituted "section 8296" for "section 6246" in introductory provisions.

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

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800

of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8299. 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, §6249; renumbered §8299, Pub. L. 115-232, div. A, title VIII, §807(b)(13), Aug. 13, 2018, 132 Stat. 1836.)

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.

PRIOR PROVISIONS

A prior section 8299, acts Aug. 10, 1956, ch. 1041, 70A Stat. 511; Aug. 21, 1957, Pub. L. 85-155, title III, §301(10), title IV, §401(1), 71 Stat. 387, 390; Sept. 2, 1958, Pub. L. 85-861, §33(a)(21), 72 Stat. 1565; Sept. 30, 1966, Pub. L. 89-609, §1(29), 80 Stat. 854; Nov. 8, 1967, Pub. L. 90-130, §1(27)(A), 81 Stat. 382, provided that promotion-list officers be promoted to regular grades of captain, major, and lieutenant colonel, after specified length of service or without regard to length of service in view of actual or anticipated vacancies if Secretary of Air Force so directs, or be eliminated from active list under section 8303 of this title and a promotion-list officer who has twice been considered and not recommended for promotion to any one regular grade not be again considered for promotion under this section, prior to repeal by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See sections 631 and 632 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6249 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8300. 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, §6250; renumbered §8300, Pub. L. 115-232, div. A, title VIII, §807(b)(13), Aug. 13, 2018, 132 Stat. 1836.)