

§ 9282. Medals: posthumous award and presentation

(a) If a person dies before the award of a medal of honor, distinguished-service cross, distinguished-service medal, distinguished flying cross, or device in place thereof, to which he is entitled, the award may be made and the medal or device presented to his representative, as designated by the President.

(b) If a person dies before an authorized service medal or device prescribed as a part thereof is presented to him under section 9281 of this title, it shall be presented to his family.

(Aug. 10, 1956, ch. 1041, 70A Stat. 542, §8752; Pub. L. 85–861, §33(a)(23), Sept. 2, 1958, 72 Stat. 1565; renumbered §9282 and amended Pub. L. 115–232, div. A, title VIII, §§806(b)(11), 809(a), Aug. 13, 2018, 132 Stat. 1833, 1840.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8752(a)	10:1409 (words between 1st and 2d semicolons). 10:1429 (1st 49 words of last sentence).	July 9, 1918, ch. 143 (words between 1st and 2d semicolons of 15th par. under "Ordnance Department"), 40 Stat. 871.
8752(b)	10:1415a (21st through 30th words, less applicability to clauses (a) through (n)).	July 2, 1926, ch. 721, §12 (1st 49 words of last sentence), 44 Stat. 789; July 30, 1937, ch. 545, §4, 50 Stat. 549. May 12, 1928, ch. 528, §1 (25th through 34th words, less applicability to clauses (a) through (n)), 45 Stat. 500.

In subsection (a), the words "If a person" are substituted for the words "In case an individual * * * dies", in 10:1409, and "In case an individual * * * shall have died", in 10:1429. The words "within three years from the date", in 10:1409, are omitted as covered by section 8744 of this title. The words "who shall distinguish himself", in 10:1409, and "who distinguishes himself", in 10:1429, are omitted as covered by the words "the award * * * to which he is entitled".

1958 ACT

The change reflects the fact that the source statute for these sections (sec. 1 of the Act of May 12, 1928, ch. 528, 45 Stat. 500) was mandatory and not merely permissive.

AMENDMENTS

2018—Pub. L. 115–232, §806(b)(11), renumbered section 8752 of this title as this section.

Subsec. (b). Pub. L. 115–232, §809(a), substituted "section 9281" for "section 8751".

1958—Subsec. (b). Pub. L. 85–861 substituted "it shall be presented" for "it may be presented".

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.

EFFECTIVE DATE OF 1958 AMENDMENT

Amendment by Pub. L. 85–861 effective Aug. 10, 1956, see section 33(g) of Pub. L. 85–861, set out as a note under section 101 of this title.

§ 9284. Medal of honor: duplicate medal

A person awarded a medal of honor shall, upon written application of that person, be issued,

without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Air Force may determine, as a duplicate or for display purposes only.

(Added Pub. L. 107–107, div. A, title V, §553(c)(1)(A), Dec. 28, 2001, 115 Stat. 1116, §8754; renumbered §9284, Pub. L. 115–232, div. A, title VIII, §806(b)(11), Aug. 13, 2018, 132 Stat. 1833.)

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 8754 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.

§ 9285. Medal of honor: presentation of Medal of Honor Flag

The President shall provide for the presentation of the Medal of Honor Flag designated under section 903 of title 36 to each person to whom a medal of honor is awarded under section 9271 of this title. Presentation of the flag shall be made at the same time as the presentation of the medal under section 9271 or 9282(a) of this title. In the case of a posthumous presentation of the medal, the flag shall be presented to the person to whom the medal is presented.

(Added Pub. L. 107–248, title VIII, §8143(c)(3)(A), Oct. 23, 2002, 116 Stat. 1570, §8755; amended Pub. L. 107–314, div. A, title X, §1062(a)(16), Dec. 2, 2002, 116 Stat. 2650; Pub. L. 109–364, div. A, title V, §555(a), Oct. 17, 2006, 120 Stat. 2217; renumbered §9285 and amended Pub. L. 115–232, div. A, title VIII, §§806(b)(11), 809(a), Aug. 13, 2018, 132 Stat. 1833, 1840.)

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 8755 of this title as this section and substituted "section 9271" for "section 8741" and "section 9271 or 9282(a)" for "section 8741 or 8752(a)".

2006—Pub. L. 109–364 struck out "after October 23, 2002" after "section 8741 of this title" and inserted at end "In the case of a posthumous presentation of the medal, the flag shall be presented to the person to whom the medal is presented."

2002—Pub. L. 107–314 substituted "October 23, 2002" for "the date of the enactment of 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.

PRESENTATION OF FLAG FOR PRIOR RECIPIENTS OF MEDAL OF HONOR

President to provide for the presentation of the Medal of Honor Flag to living recipients of the Medal of Honor as expeditiously as possible after Oct. 17, 2006, and for posthumous presentation to survivors of deceased recipients upon written application therefor, see section 555(b) of Pub. L. 109–364, set out as a note under section 7285 of this title.

§ 9286. Korea Defense Service Medal

(a) The Secretary of the Air Force shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Air Force served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for the award of that medal prescribed under subsection (c).

(b) In this section, the term “KDSM eligibility period” means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Air Force shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(Added Pub. L. 107-314, div. A, title V, §543(d)(1), Dec. 2, 2002, 116 Stat. 2550, §8755; renumbered §8756, Pub. L. 108-375, div. A, title X, §1084(d)(33), Oct. 28, 2004, 118 Stat. 2063; renumbered §9286, Pub. L. 115-232, div. A, title VIII, §806(b)(11), Aug. 13, 2018, 132 Stat. 1833.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (b), is the date of enactment of Pub. L. 107-314, which was approved Dec. 2, 2002.

PRIOR PROVISIONS

Prior sections 9301 to 9306 were renumbered sections 9401 to 9406 of this title, respectively.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8756 of this title as this section.

2004—Pub. L. 108-375 renumbered section 8755 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.

CHAPTER 939—SEPARATION FOR VARIOUS REASONS

Sec. 9307. Aviation cadets: discharge.

PRIOR PROVISIONS

A prior chapter 939, consisting of sections 9621 to 9629, related to sale of serviceable material, prior to renumbering as chapter 969 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(3)(B)(i), (e)(1), Aug. 13, 2018, 132 Stat. 1833, redesignated chapter 861 of this title as this chapter and item 8817 as 9307.

1994—Pub. L. 103-337, div. A, title XVI, §1674(b)(7), Oct. 5, 1994, 108 Stat. 3016, struck out items 8819 “Reserve officers: discharge for failure of promotion to first lieutenant” and 8820 “Air National Guard of United States officers: discharge”.

1980—Pub. L. 96-513, title V, §504(16), Dec. 12, 1980, 94 Stat. 2917, struck out items 8814 “Regular commis-

sioned officers: discharge during three-year probationary period” and 8818 “Regular female members: termination of appointment or enlistment”.

1968—Pub. L. 90-235, §3(a)(5), (b)(7), Jan. 2, 1968, 81 Stat. 758, struck out items 8811 “Air Force enlisted members: discharge certificate; limitations on discharge”, 8812 “Air Force enlisted members: during war or emergency; discharge”, 8813 “Air Force enlisted members: dependency discharge”, 8815 “Regular enlisted members: resignation of members enlisted on career basis; limitations”, and 8816 “Regular enlisted members: minority discharge”.

1958—Pub. L. 85-861, §1(191)(B), Sept. 2, 1958, 72 Stat. 1534, added item 8819.

§ 9307. Aviation cadets: discharge

The Secretary of the Air Force may discharge an aviation cadet at any time.

(Aug. 10, 1956, ch. 1041, 70A Stat. 545, §8817; renumbered §9307, Pub. L. 115-232, div. A, title VIII, §806(b)(12), Aug. 13, 2018, 132 Stat. 1833.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
8817	10:299 (last sentence).	June 3, 1941, ch. 165, §3 (last sentence), 55 Stat. 239.

10:299 (last sentence, less 1st 14 words) is omitted as superseded by section 681 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 8817 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.

CHAPTER 941—RETIREMENT FOR LENGTH OF SERVICE

- Sec. 9311. Twenty years or more: regular or reserve commissioned officers.
- 9314. Twenty to thirty years: enlisted members.
- 9317. Thirty years or more: regular enlisted members.
- 9318. Thirty years or more: regular commissioned officers.
- 9320. More than thirty years: permanent professors and the Director of Admissions of the United States Air Force Academy.
- 9321. Mandatory retirement: Superintendent of the United States Air Force Academy; waiver authority.
- 9324. Forty years or more: Air Force officers.
- 9325. Computation of years of service: voluntary retirement; enlisted members.
- 9326. Computation of years of service: voluntary retirement; regular and reserve commissioned officers.
- 9329. Computation of retired pay: law applicable.

PRIOR PROVISIONS

A prior chapter 941, consisting of sections 9651 to 9656, related to issue of serviceable material other than to Armed Forces, prior to renumbering as chapter 971 of this title.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §806(d)(3)(B)(ii), (e)(1), Aug. 13, 2018, 132 Stat. 1833, re-