

A, title VIII, §807(b)(13), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

HISTORICAL AND REVISION NOTES		
Revised section	Source (U.S. Code)	Source (Statutes at Large)
6246	34 U.S.C. 356b.	Feb. 4, 1919, ch. 14, §5; added Aug. 7, 1942, ch. 551, §1, 56 Stat. 744.

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6247	34 U.S.C. 358. 34 U.S.C. 364a (2d sentence).	Feb. 4, 1919, ch. 14, §5, 40 Stat. 1056; renumbered §7 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 744. July 2, 1926, ch. 721, §12 (2d sentence), 44 Stat. 789; July 30, 1937, ch. 545, §4, 50 Stat. 549.

The word “award” is substituted for the word “present” to cover the determination of the recipient as well as the actual presenting of the award. 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 “including the Naval Reserve and Marine Corps Reserve” are omitted as covered by the definitions of the Navy and the Marine Corps. The last sentence, relating to additional pay, is omitted for the reason that, under the Career Compensation Act of 1949 (37 U.S.C. 231 et seq.), there is no additional pay authorized for any medal. The words “since December 6, 1941” are omitted as executed. The words “or herself” are omitted as covered by the rules of construction in 1 U.S.C. 1.

The word “awarded” is substituted for the word “issued” for uniformity. The words “that would otherwise justify” are substituted for the words “sufficient to justify” for clarity. The word “service” is substituted for the word “achievement” for uniformity. The words “as he shall direct” are omitted as surplusage.

PRIOR PROVISIONS

A prior section 8296, acts Aug. 10, 1956, ch. 1041, 70A Stat. 510; Aug. 6, 1958, Pub. L. 85-600, §1(16), 72 Stat. 523; Sept. 2, 1958, Pub. L. 85-861, §1(156), (175), 72 Stat. 1513, 1519, provided for promotion lists in Regular Air Force for all commissioned officers in grades below brigadier general on active list, with exceptions, which officers are known as “promotion-list officers”, a separate list for chaplains, judge advocates, medical officers, dental officers, veterinary officers, medical service officers, Air Force nurses, Air Force medical specialists, and any category established by Secretary of Air Force under section 8067(i) of this title, and determination of place on list upon transfer or promotion, prior to repeal by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 624 of this title.

PRIOR PROVISIONS
A prior section 8297, acts Aug. 10, 1956, ch. 1041, 70A Stat. 510; Aug. 21, 1957, Pub. L. 85-155, title III, §301(8), 71 Stat. 387; July 12, 1960, Pub. L. 86-616, §6(1), 74 Stat. 391, provided for selection boards to recommend promotion-list officers and brigadier generals of Regular Air Force for promotion in Regular Air Force, prior to repeal by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 611 et seq. of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6247 of this title as this section.
2013—Pub. L. 113-66 struck out “medal of honor,” before “Navy cross”.

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.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6246 of this title as this section.
1997—Pub. L. 105-85 designated existing provisions as subsec. (a) 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.

§ 8298. Limitations of time

(a) Except as provided in section 8296 of this title or subsection (b), no medal of honor, Navy cross, distinguished-service medal, silver star medal, Navy and Marine Corps Medal, or bar, emblem, or insignia in place thereof may be awarded to a person unless—

- (1) the award is made within five years after the date of the act or service justifying the award; and
- (2) a statement setting forth the act or distinguished service and recommending official 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

§ 8297. Additional awards

Not more than one Navy cross, distinguished-service medal, silver star medal, distinguished flying cross, or Navy and Marine Corps Medal may be awarded to a person. However, for each succeeding act or service that would otherwise justify the award of such a medal or cross, the President may award a suitable bar, emblem, or insignia to be worn with the decoration and corresponding rosette or other device.

(Aug. 10, 1956, ch. 1041, 70A Stat. 390, §6247; Pub. L. 113-66, div. A, title V, §561(b), Dec. 26, 2013, 127 Stat. 766; renumbered §8297, Pub. L. 115-232, div. A, title VIII, §807(b)(13), Aug. 13, 2018, 132 Stat. 1836.)

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. Repealed. Pub. L. 116-92, div. A, title V, § 582(b)(2)(A), Dec. 20, 2019, 133 Stat. 1412]

Section, act 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, related to limitation of honorable service.

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.

§ 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.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6250	34 U.S.C. 363.	Feb. 4, 1919, ch. 14, §8 (less 1st and 2d provisions), 40 Stat. 1057; renumbered §10 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 745.
	34 U.S.C. 364a (3d sentence, less last 31 words).	July 2, 1926, ch. 721, §12 (3d sentence, less last 31 words), 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.

PRIOR PROVISIONS

A prior section 8300, acts Aug. 10, 1956, ch. 1041, 70A Stat. 513; Aug. 21, 1957, Pub. L. 85-155, title III, §301(11), 71 Stat. 388; July 12, 1960, Pub. L. 86-616, §6(2), 74 Stat. 391; Nov. 8, 1967, Pub. L. 90-130, §1(27)(B), 81 Stat. 382, provided for selection board procedure when promotion-list officers in regular grade of first lieutenant, captain, or major are to be considered for promotion under section 8299 of this title, prior to repeal by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 611 et seq. of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6250 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.

§ 8301. Delegation of power to award

The President may delegate, under such conditions as he prescribes, to flag and general officers who are commanders-in-chief or commanding on important independent duty, his authority to award the Navy cross, the distinguished-service medal, the silver star medal, or the Navy and Marine Corps Medal.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391, §6251; renumbered §8301, Pub. L. 115-232, div. A, title VIII, §807(b)(13), Aug. 13, 2018, 132 Stat. 1836.)