

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
6252 .....	34 U.S.C. 364 (10th, and last 47 words).  34 U.S.C. 364a (1st 9 words of 1st sentence).	Feb. 4, 1919, ch. 14, §9 (as applicable to regulations), 40 Stat. 1057; renumbered §11 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 745. July 2, 1926, ch. 721, §12 (1st 9 words of 1st sentence), 44 Stat. 789; July 30, 1937, ch. 545, §4, 50 Stat. 549.

The words “further”, “from time to time any and all rules”, “orders which he shall deem necessary”, and “to execute full purpose and intention thereof” are omitted as surplusage.

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 8302, act Aug. 10, 1956, ch. 1041, 70A Stat. 513, related to promotion to captain, major, or lieutenant colonel of commissioned medical, dental, or veterinary officers in Regular Air Force upon examination of professional fitness and effect upon failure of promotion, 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 6252 of this title as this section.

**Statutory Notes and Related Subsidiaries**

**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.

**§ 8303. Replacement**

The Secretary of the Navy may replace without charge any medal of honor, Navy cross, distinguished-service medal, silver star medal, or Navy and Marine Corps Medal, or any associated bar, emblem, or insignia awarded under this chapter that is stolen, lost, or destroyed or becomes unfit for use without fault or neglect on the part of the person to whom it was awarded.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391, §6253; Pub. L. 107-107, div. A, title V, §553(b)(2), Dec. 28, 2001, 115 Stat. 1116; renumbered §8303, 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>
6253 .....	34 U.S.C. 359 (proviso).	Feb. 4, 1919, ch. 14, §6 (proviso), 40 Stat. 1056; renumbered §8 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 744.

The words “Secretary of the Navy may replace” are substituted for the words “Provided, That such replacement shall be made only in those cases where”.

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 8303, acts Aug. 10, 1956, ch. 1041, 70A Stat. 514; Aug. 21, 1957, Pub. L. 85-155, title III, §301(13),

71 Stat. 388; July 12, 1960, Pub. L. 86-616, §6(3), 74 Stat. 391; June 28, 1962, Pub. L. 87-509, §4(a), 76 Stat. 121; Nov. 8, 1967, Pub. L. 90-130, §1(27)(D), 81 Stat. 382, related to effect of failure of a promotion-list officer considered for promotion to grade of captain, major, or lieutenant colonel under section 8299 of this title to be recommended for promotion, which officer was to be known as a “deferred officer”, 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 6253 of this title as this section.

2001—Pub. L. 107-107 substituted “stolen, lost, or destroyed” for “lost or destroyed”.

**Statutory Notes and Related Subsidiaries**

**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.

**§ 8304. Availability of appropriations**

The Secretary of the Navy may spend from appropriations for the pay of the Navy or the Marine Corps, as appropriate, amounts necessary to provide and replace medals of honor, Navy crosses, distinguished-service medals, silver star medals, and Navy and Marine Corps Medals, and associated bars, emblems, and insignia.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391, §6254; renumbered §8304, 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>
6254 .....	34 U.S.C. 359 (less proviso).	Feb. 4, 1919, ch. 14, §6 (less proviso), 40 Stat. 1056; renumbered §8 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 744.

The words “the appropriations for the pay of the Navy or the Marine Corps, as appropriate”, are substituted for the words “the appropriation ‘Pay, subsistence, and transportation of naval personnel’”, to identify by a general description, rather than by the specific appropriation title, the appropriation authorized to be used. Specific appropriation titles vary from one appropriation act to the next. The permanent authority contained in 34 U.S.C. 359 for the Secretary of the Navy to use appropriations available for the pay of the Navy and the Marine Corps is not affected by a change in the titles of those appropriations nor is it affected by a specific authorization in an appropriation act to use, during the life of the act, a different type of appropriation.

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 8304, act Aug. 10, 1956, ch. 1041, 70A Stat. 515, related to promotion of Air Force nurses or women medical specialists to grades of first lieutenant, captain, major, lieutenant colonel, or colonel, prior to repeal by Pub. L. 85-155, title IV, §401(1), Aug. 21, 1957, 71 Stat. 390.

**AMENDMENTS**

2018—Pub. L. 115-232 renumbered section 6254 of this title as this section.

**Statutory Notes and Related Subsidiaries**

## 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.

**§ 8305. Commemorative or special medals: facsimiles and ribbons**

Under regulations prescribed by the Secretary of the Navy, members of the naval service may wear, in place of commemorative or special medals awarded to them, miniature facsimiles of such medals and ribbons symbolic of the awards.

(Aug. 10, 1956, ch. 1041, 70A Stat. 391, § 6255; renumbered § 8305, 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>
6255 .....	34 U.S.C. 358a.	Apr. 25, 1935, ch. 82, 49 Stat. 162.

The words “members of the naval service may” are substituted for the words “That authority is hereby granted to personnel of the Navy and Marine Corps” for clarity.

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 8305, acts Aug. 10, 1956, ch. 1041, 70A Stat. 516; Aug. 21, 1957, Pub. L. 85-155, title III, § 301(14), 71 Stat. 388; Nov. 8, 1967, Pub. L. 90-130, § 1(27)(E), 81 Stat. 382, related to promotion of officers in regular grade of lieutenant colonel to grade of colonel, prior to repeal by Pub. L. 96-513, title II, § 204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 619 et seq. of this title.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6255 of this title as this section.

**Statutory Notes and Related Subsidiaries**

## 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.

**§ 8306. 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 Navy may determine, as a duplicate or for display purposes only.

(Added Pub. L. 107-107, div. A, title V, § 553(b)(1)(A), Dec. 28, 2001, 115 Stat. 1116, § 6256; renumbered § 8306, Pub. L. 115-232, div. A, title VIII, § 807(b)(13), Aug. 13, 2018, 132 Stat. 1836.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 8306, act Aug. 10, 1956, ch. 1041, 70A Stat. 516, related to promotion of officers in regular

grade of colonel to grade of brigadier general, prior to repeal by Pub. L. 96-513, title II, § 204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 619 et seq. of this title.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6256 of this title as this section.

**Statutory Notes and Related Subsidiaries**

## 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.

**§ 8307. 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 8291 of this title. Presentation of the flag shall be made at the same time as the presentation of the medal under section 8291 or 8300 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)(2)(A), Oct. 23, 2002, 116 Stat. 1570, § 6257; 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 § 8307 and amended Pub. L. 115-232, div. A, title VIII, §§ 807(b)(13), 809(a), Aug. 13, 2018, 132 Stat. 1836, 1840.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 8307, act Aug. 10, 1956, ch. 1041, 70A Stat. 517, related to promotion of officers in regular grade of brigadier general to grade of major general, prior to repeal by Pub. L. 96-513, title II, § 204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 619 et seq. of this title.

## AMENDMENTS

2018—Pub. L. 115-232, § 809(a), substituted “section 8291” for “section 6241” and “section 8291 or 8300” for “section 6241 or 6250”.

Pub. L. 115-232, § 807(b)(13), renumbered section 6257 of this title as this section.

2006—Pub. L. 109-364 struck out “after October 23, 2002” after “section 6241 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”.

**Statutory Notes and Related Subsidiaries**

## 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