

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.

§ 7281. Service medals: issue; replacement; availability of appropriations

(a) The Secretary of the Army shall procure, and issue without charge to any person entitled thereto, any service medal authorized for members of the Army after May 12, 1928, and any ribbon, clasp, star, or similar device prescribed as a part of that medal.

(b) Under such regulations as the Secretary may prescribe, any medal or other device issued under subsection (a) that is lost, destroyed, or becomes unfit for use, without fault or neglect of the owner, may be replaced at cost. However, if the owner is a member of the Army or the Air Force, the medal or device may be replaced without charge.

(c) The Secretary may spend, from any appropriation for the support of the Army, amounts necessary to provide medals and devices under this section.

(Aug. 10, 1956, ch. 1041, 70A Stat. 217, §3751; renumbered §7281, Pub. L. 115-232, div. A, title VIII, §808(b)(11), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3751(a)	10:1415a (less 21st through 30th words, and less clauses (a) through (n)).	May 12, 1928, ch. 528, §1 (less 25th through 34th words, and less clauses (a) through (n)), 2 (less applicability to §1 clauses (a) through (n)), 3 (less applicability to §1 clauses (a) through (n)), 45 Stat. 500.
3751(b)	10:1415b (less applicability to 10:1415a (clauses (a) through (n))).	
3751(c)	10:1415c (less applicability to 10:1415a (clauses (a) through (n))).	

In subsection (a), 10:1415a (proviso) is omitted as surplusage, since the revised section is not limited to persons who are members of the Army at the time of the issue.

In subsection (b), the words “member of the Army or the Air Force” are substituted for the words “persons in the military service of the United States”.

In subsection (c), the last 16 words are substituted for 10:1415c (last 16 words).

Editorial Notes**AMENDMENTS**

2018—Pub. L. 115-232 renumbered section 3751 of this title as this section.

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ISSUANCE OF CERTAIN OTHER MEDALS AND DEVICES

Act Aug. 10, 1956, ch. 1041, §33, 70A Stat. 633, provided that:

“(a) The Secretary of the Army shall procure, and issue without charge to any person entitled thereto, the following service medals, and any ribbon, clasp, star, or similar device prescribed as a part of that medal:

- “(1) Civil War campaign medal;
- “(2) Indian campaign medal;
- “(3) Spanish campaign medal;
- “(4) Spanish War service medal;
- “(5) Cuban occupation medal;
- “(6) Puerto Rico occupation medal;
- “(7) Philippine campaign medal;
- “(8) Philippine Congressional medal;
- “(9) China campaign medal;
- “(10) Cuban pacification medal;
- “(11) Mexican service medal;
- “(12) Mexican border service medal;
- “(13) Victory medal and clasps; and
- “(14) fourragere as an individual decoration.

“(b) Under regulations prescribed by the Secretary, any medal or other device issued under subsection (a) that is lost, destroyed, or becomes unfit for use, without fault or neglect of the owner, may be replaced at cost. However, if the owner is a member of the Army or the Air Force, the medal or device may be replaced without charge.

“(c) The Secretary may spend, from any appropriation for the support of the Army, amounts necessary to provide medals and devices under this section.

“(d) If a person dies before a medal or device is presented to him under subsection (a), it may be presented to his family.”

§ 7282. 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 7281 of this title, it shall be presented to his family.

(Aug. 10, 1956, ch. 1041, 70A Stat. 217, §3752; Pub. L. 85-861, §33(a)(23), Sept. 2, 1958, 72 Stat. 1565; renumbered §7282 and amended Pub. L. 115-232, div. A, title VIII, §§808(b)(11), 809(a), Aug. 13, 2018, 132 Stat. 1838, 1840.)

HISTORICAL AND REVISION NOTES
1956 ACT

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3752(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.
3752(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 3744 of this title. The words “who shall distin-

guish 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.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–232, §808(b)(11), renumbered section 3752 of this title as this section.

Subsec. (b). Pub. L. 115–232, §809(a), substituted “section 7281” for “section 3751”.

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

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.

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.

§ 7283. Civil War battle streamers

If, under regulations prescribed by the Secretary of the Army, it is determined that a regiment or other unit of the Army is entitled to that honor, the regiment or unit may carry any appropriate Civil War battle streamer with its colors or standards.

(Aug. 10, 1956, ch. 1041, 70A Stat. 218, §3753; renumbered §7283, Pub. L. 115–232, div. A, title VIII, §808(b)(11), Aug. 13, 2018, 132 Stat. 1838.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3753	[Uncodified].	Mar. 9, 1948, ch. 104, 62 Stat. 71.

The words “it is determined” are substituted for the words “upon verification in the War Department that it is entitled to such honors”.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 3753 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.

§ 7284. 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 Army may determine, as a duplicate or for display purposes only.

(Added Pub. L. 107–107, div. A, title V, §553(a)(1)(A), Dec. 28, 2001, 115 Stat. 1115, §3754; renumbered §7284, Pub. L. 115–232, div. A, title VIII, §808(b)(11), Aug. 13, 2018, 132 Stat. 1838.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 3754 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.

§ 7285. 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 7271 of this title. Presentation of the flag shall be made at the same time as the presentation of the medal under section 7271 or 7282(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)(1)(A), Oct. 23, 2002, 116 Stat. 1570, §3755; 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 §7285 and amended Pub. L. 115–232, div. A, title VIII, §§808(b)(11), 809(a), Aug. 13, 2018, 132 Stat. 1838, 1840.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–232, §809(a), substituted “section 7271” for “section 3741” and “section 7271 or 7282(a)” for “section 3741 or 3752(a)”.

Pub. L. 115–232, §808(b)(11), renumbered section 3755 of this title as this section.

2006—Pub. L. 109–364 struck out “after October 23, 2002” after “section 3741 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”.

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PRESENTATION OF FLAG FOR PRIOR RECIPIENTS OF MEDAL OF HONOR

Pub. L. 109–364, div. A, title V, §555(b), Oct. 17, 2006, 120 Stat. 2217, provided that: