

**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”.

**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

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

“(1) LIVING RECIPIENTS.—The President shall provide for the presentation of the Medal of Honor Flag as expeditiously as possible after the date of the enactment of this Act [Oct. 17, 2006] to each living recipient of the Medal of Honor who has not already received a Medal of Honor Flag.

“(2) SURVIVORS OF DECEASED RECIPIENTS.—In the case of presentation of the Medal of Honor Flag for a recipient of the Medal of Honor who was awarded the Medal of Honor before the date of the enactment of this Act [Oct. 17, 2006] and who is deceased as of such date (or who dies after such date and before the presentation required by paragraph (1)), the President shall provide for posthumous presentation of the Medal of Honor Flag, upon written application therefor, to the primary living next of kin, as determined under regulations or procedures prescribed by the Secretary of Defense for the purposes of this paragraph (and notwithstanding the amendments made by paragraph (2) of subsection (a) [amending this section]).

“(3) MEDAL OF HONOR FLAG.—In this subsection, the term ‘Medal of Honor Flag’ means the flag designated under section 903 of title 36, United States Code.”

**§ 7286. Korea Defense Service Medal**

(a) The Secretary of the Army shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Army 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 Army 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(b)(1), Dec. 2, 2002, 116 Stat. 2549, § 3755; renumbered § 3756, Pub. L. 108-375, div. A, title X, § 1084(d)(28), Oct. 28, 2004, 118 Stat. 2063; renumbered § 7286, Pub. L. 115-232, div. A, title VIII, § 808(b)(11), Aug. 13, 2018, 132 Stat. 1838.)

**Editorial Notes**

## 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 7291 to 7294 were renumbered sections 8661 to 8664 of this title, respectively.

A prior section 7295, act Aug. 10, 1956, ch. 1041, 70A Stat. 449, listed types of vessels considered underage for specified periods after completion, prior to repeal by Pub. L. 115-232, div. A, title X, §1015(b)(1), Aug. 13, 2018, 132 Stat. 1949.

A prior section 7296, added Pub. L. 107-314, div. A, title X, §1021(b)(1), Dec. 2, 2002, 116 Stat. 2638; amended Pub. L. 108-136, div. A, title X, §1011, Nov. 24, 2003, 117 Stat. 1589, required notice before reduction in number of combatant surface vessels, prior to repeal by Pub. L. 112-81, div. A, title X, §1061(27)(A), Dec. 31, 2011, 125 Stat. 1584.

Another prior section 7296, act Aug. 10, 1956, ch. 1041, 70A Stat. 449, related to availability for other purposes of appropriations for construction or conversion of vessels, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(a)(5), Nov. 30, 1993, 107 Stat. 1707.

A prior section 7297 was renumbered section 8667 of this title.

A prior section 7298, act Aug. 10, 1956, ch. 1041, 70A Stat. 449, related to conversion of combatant and auxiliary naval vessels, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(a)(6), Nov. 30, 1993, 107 Stat. 1707.

A prior section 7299 was renumbered section 8669 of this title.

Another prior section 7299, acts Aug. 10, 1956, ch. 1041, 70A Stat. 449; Aug. 25, 1958, Pub. L. 85-747, 72 Stat. 839; Dec. 12, 1980, Pub. L. 96-513, title V, §513(26), 94 Stat. 2932; Oct. 12, 1982, Pub. L. 97-295, §1(47), 96 Stat. 1298, directed that each contract for construction, alteration, furnishing, or equipping of naval vessel was subject to the Walsh-Healey Act, unless President determined that such requirement was not in interest of national defense, prior to repeal by Pub. L. 103-355, title III, §3023(a), Oct. 13, 1994, 108 Stat. 3333.

A prior section 7299a was renumbered section 8669a of this title.

A prior section 7300 was renumbered section 8670 of this title.

Another prior section 7300, act Aug. 10, 1956, ch. 1041, 70A Stat. 450, related to profit limitations on contracts for construction of naval vessels, prior to repeal by Pub. L. 97-86, title IX, §911(b)(1), Dec. 1, 1981, 95 Stat. 1122.

A prior section 7301 was renumbered section 8671 of this title.

Another prior section 7301, act Aug. 10, 1956, ch. 1041, 70A Stat. 450, related to estimates required for bids on construction of naval vessels, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(a)(7), Nov. 30, 1993, 107 Stat. 1707.

A prior section 7302, act Aug. 10, 1956, ch. 1041, 70A Stat. 451, directed Department of the Navy to construct on U.S. Pacific Coast such vessels as President determined necessary to maintain shipyard facilities there adequate to meet requirements of national defense, prior to repeal by Pub. L. 103-355, title III, §3024(a), Oct. 13, 1994, 108 Stat. 3334.

A prior section 7303 was renumbered section 8673 of this title.

A prior section 7304 was renumbered section 8674 of this title.

Another prior section 7304, act Aug. 10, 1956, ch. 1041, 70A Stat. 451, related to examination of vessels by board and striking of unfit vessels from Naval Vessel Register, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(b), Nov. 30, 1993, 107 Stat. 1708.

A prior section 7305 was renumbered section 8675 of this title.

Another prior section 7305, acts Aug. 10, 1956, ch. 1041, 70A Stat. 451; Dec. 12, 1980, Pub. L. 96-513, title V, §513(27), 94 Stat. 2933, related to sale of vessels stricken from Naval Vessel Register, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(b), Nov. 30, 1993, 107 Stat. 1708.

A prior section 7305a was renumbered section 8675a of this title.

A prior section 7306 was renumbered section 8676 of this title.

Another prior section 7306, acts Aug. 10, 1956, ch. 1041, 70A Stat. 452; Nov. 8, 1965, Pub. L. 89-348, §1(10), 79 Stat.

1311; Nov. 2, 1966, Pub. L. 89-718, §42, 80 Stat. 1120; Nov. 29, 1989, Pub. L. 101-189, div. A, title XVI, §1616, 103 Stat. 1602, related to use of vessels stricken from the Naval Vessel Register for experimental purposes, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(b), Nov. 30, 1993, 107 Stat. 1708. See section 8676a of this title.

Prior sections 7306a and 7306b were renumbered sections 8676a and 8676b of this title, respectively.

A prior section 7307 was renumbered section 8677 of this title.

Another prior section 7307, acts Aug. 10, 1956, ch. 1041, 70A Stat. 452; Aug. 5, 1974, Pub. L. 93-365, title VII, §702, 88 Stat. 405; Oct. 5, 1976, Pub. L. 94-457, §2, 90 Stat. 1938; Dec. 12, 1980, Pub. L. 96-513, title V, §513(28), 94 Stat. 2933; Aug. 8, 1985, Pub. L. 99-83, title I, §122, 99 Stat. 204; Nov. 5, 1990, Pub. L. 101-510, div. A, title XIV, §1484(b)(4), 104 Stat. 1716, related to restrictions on disposal of certain Navy ships, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(b), Nov. 30, 1993, 107 Stat. 1708.

A prior section 7308 was renumbered section 8678 of this title.

Another prior section 7308, acts Aug. 10, 1956, ch. 1041, 70A Stat. 453; Dec. 12, 1980, Pub. L. 96-513, title V, §513(29), 94 Stat. 2933; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, §1234(a)(6), 102 Stat. 2059; Nov. 5, 1990, Pub. L. 101-510, div. A, title XIV, §1427, 104 Stat. 1685, related to transfer or gift of obsolete, condemned, and captured vessels, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(b), Nov. 30, 1993, 107 Stat. 1708.

A prior section 7309 was renumbered section 8679 of this title.

Another prior section 7309, added Pub. L. 97-252, title XI, §1127(a), Sept. 8, 1982, 96 Stat. 758; amended Pub. L. 98-473, title I, §101(h)[title VIII, §8095], Oct. 12, 1984, 98 Stat. 1904, 1941; Pub. L. 99-145, title XIII, §1303(a)(24)(A), Nov. 8, 1985, 99 Stat. 740; Pub. L. 100-180, div. A, title XI, §1103, Dec. 4, 1987, 101 Stat. 1146; Pub. L. 100-456, div. A, title XII, §1224(a), (b)(1), Sept. 29, 1988, 102 Stat. 2054; Pub. L. 101-189, div. A, title XVI, §1622(c)(8), Nov. 29, 1989, 103 Stat. 1604; Pub. L. 102-190, div. A, title X, §1017, Dec. 5, 1991, 105 Stat. 1459; Pub. L. 102-484, div. A, title X, §1012, Oct. 23, 1992, 106 Stat. 2483, related to restrictions on construction and repair of vessels in foreign shipyards, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(b), Nov. 30, 1993, 107 Stat. 1708.

A prior section 7310 was renumbered section 8680 of this title.

Another prior section 7310, added Pub. L. 97-295, §1(49)(A), Oct. 12, 1982, 96 Stat. 1298, related to policy for constructing combatant vessels, prior to repeal by Pub. L. 103-160, div. A, title VIII, §824(a)(8), Nov. 30, 1993, 107 Stat. 1707.

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 3756 of this title as this section.

2004—Pub. L. 108-375 renumbered section 3755 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.

##### FINDINGS

Pub. L. 107-314, div. A, title V, §543(a), Dec. 2, 2002, 116 Stat. 2549, provided that: “Congress makes the following findings:

“(1) More than 40,000 members of the United States Armed Forces have served in the Republic of Korea or the waters adjacent thereto each year since the signing of the cease-fire agreement in July 1953 ending the Korean War.

“(2) An estimated 1,200 members of the United States Armed Forces have died as a direct result of their service in Korea since the cease-fire agreement in July 1953.”

#### AWARD FOR SERVICE BEFORE DATE OF ENACTMENT

Pub. L. 107-314, div. A, title V, § 543(e), Dec. 2, 2002, 116 Stat. 2550, provided that: “The Secretary of the military department concerned shall take appropriate steps to provide in a timely manner for the issuance of the Korea Defense Service Medal, upon application therefor, to persons whose eligibility for that medal is by reason of service in the Republic of Korea or the waters adjacent thereto before the date of the enactment of this Act [Dec. 2, 2002].”

### CHAPTER 741—RETIREMENT FOR LENGTH OF SERVICE

Sec.	
7311.	Twenty years or more: regular or reserve commissioned officers.
7314.	Twenty to thirty years: enlisted members.
7317.	Thirty years or more: regular enlisted members.
7318.	Thirty years or more: regular commissioned officers.
7320.	More than thirty years: permanent professors and the Director of Admissions of the United States Military Academy.
7321.	Mandatory retirement: Superintendent of the United States Military Academy; waiver authority.
7324.	Forty years or more: Army officers.
7325.	Computation of years of service: voluntary retirement; enlisted members.
7326.	Computation of years of service: voluntary retirement; regular and reserve commissioned officers.
7329.	Computation of retired pay: law applicable.

#### Editorial Notes

##### AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 808(e)(2)(B), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 367 of this title as this chapter and items 3911, 3914, 3917, 3918, 3920, 3921, 3924 to 3926, and 3929 as 7311, 7314, 7317, 7318, 7320, 7321, 7324 to 7326, and 7329, respectively.

2004—Pub. L. 108-375, div. A, title V, § 541(c)(1)(B), Oct. 28, 2004, 118 Stat. 1904, inserted “; waiver authority” after “Academy” in item 3921.

1999—Pub. L. 106-65, div. A, title V, § 532(a)(4)(A), Oct. 5, 1999, 113 Stat. 603, added item 3921.

1996—Pub. L. 104-106, div. A, title V, § 509(a)(2), Feb. 10, 1996, 110 Stat. 298, substituted “permanent professors and the Director of Admissions of the United States Military Academy” for “permanent professors of United States Military Academy” in item 3920.

1981—Pub. L. 97-22, § 10(b)(5), July 10, 1981, 95 Stat. 137, struck out item 3922 “Thirty years or five years in grade: regular brigadier generals”.

1980—Pub. L. 96-513, title V, § 502(16), Dec. 12, 1980, 94 Stat. 2910, struck out item 3913 “Twenty years or more: deferred officers not recommended for promotion”, item 3916 “Twenty-eight years: promotion-list lieutenant colonels”, item 3919 “Thirty years or more: regular commissioned officers; excessive number”, item 3921 “Thirty years or five years in grade: promotion-list colonels”, item 3923 “Thirty-five years or five years in grade: regular major generals”, and item 3927 “Computation of years of service: mandatory retirement; regular commissioned officers”.

Pub. L. 96-343, § 9(a)(3), Sept. 8, 1980, 94 Stat. 1128, struck out “regular” before “enlisted members” in items 3914 and 3925.

1967—Pub. L. 90-130, § 1(13), Nov. 8, 1967, 81 Stat. 376, struck out item 3915 “Twenty-five years: regular majors; Women’s Army Corps, Army Nurse Corps and Army Medical Specialist Corps”.

1957—Pub. L. 85-155, title I, § 101(20), title IV, § 401(3), Aug. 21, 1957, 71 Stat. 380, 390, included the Army Nurse Corps and the Army Medical Specialist Corps within item 3915, and struck out item 3912 “Twenty years or more: regular commissioned officers; Army Nurse Corps and Women’s Medical Specialist Corps” and item 3928 “Computation of years of service: voluntary retirement; regular commissioned officers; Army Nurse Corps and Women’s Medical Specialist Corps”.

#### § 7311. Twenty years or more: regular or reserve commissioned officers

(a) The Secretary of the Army may, upon the officer’s request, retire a regular or reserve commissioned officer of the Army who has at least 20 years of service computed under section 7326 of this title, at least 10 years of which have been active service as a commissioned officer.

(b)(1) The Secretary of Defense may authorize the Secretary of the Army, during the period specified in paragraph (2), to reduce the requirement under subsection (a) for at least 10 years of active service as a commissioned officer to a period (determined by the Secretary of the Army) of not less than eight years.

(2) The period specified in this paragraph is the period beginning on January 7, 2011, and ending on September 30, 2018.

(Aug. 10, 1956, ch. 1041, 70A Stat. 224, § 3911; Pub. L. 101-510, div. A, title V, § 523(a), Nov. 5, 1990, 104 Stat. 1562; Pub. L. 103-160, div. A, title V, § 561(c), Nov. 30, 1993, 107 Stat. 1667; Pub. L. 105-261, div. A, title V, § 561(e), Oct. 17, 1998, 112 Stat. 2025; Pub. L. 106-398, § 1 [[div. A], title V, § 571(e)], Oct. 30, 2000, 114 Stat. 1654, 1654A-134; Pub. L. 109-163, div. A, title V, § 502(a), Jan. 6, 2006, 119 Stat. 3225; Pub. L. 109-364, div. A, title X, § 1071(a)(27), Oct. 17, 2006, 120 Stat. 2399; Pub. L. 111-383, div. A, title V, § 506(a), Jan. 7, 2011, 124 Stat. 4210; Pub. L. 112-239, div. A, title V, § 505(a), title X, § 1076(e)(6), Jan. 2, 2013, 126 Stat. 1715, 1951; renumbered § 7311 and amended Pub. L. 115-232, div. A, title VIII, §§ 808(b)(12), 809(a), Aug. 13, 2018, 132 Stat. 1838, 1840.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
3911 .....	10:943a. 10:971b (1st 100 words).	July 31, 1935, ch. 422, § 5 (1st 101 words); re-stated June 13, 1940, ch. 344, § 3 (1st 45 words), 54 Stat. 380; June 29, 1948, ch. 708, § 202 (1st 105 words), 62 Stat. 1084; July 16, 1953, ch. 203, 67 Stat. 175.

The words “a regular or reserve commissioned officer of the Army” are substituted for the words “any officer on the active list of the Regular Army \* \* \* or any officer of the reserve components of the Army of the United States”. The words “Philippine Scouts” are omitted as obsolete. The words “has at least 20” are substituted for the words “shall have completed not less than twenty”. The words “upon the officer’s request” are substituted for the words “upon his own application”. The words “service computed under section 3926 of this title” are substituted for the words “active Federal service in the armed forces of the United States”, since that revised section makes explicit the service covered.