

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.

§ 8293. Distinguished-service medal

The President may award a distinguished-service medal of appropriate design and a ribbon, together with a rosette or other device to be worn in place thereof, to any person who, while serving in any capacity with the Navy or the Marine Corps, distinguishes himself by exceptionally meritorious service to the United States in a duty of great responsibility.

(Aug. 10, 1956, ch. 1041, 70A Stat. 389, §6243; renumbered §8293, 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>
6243	34 U.S.C. 355.	Feb. 4, 1919, ch. 14, §2, 40 Stat. 1056; renumbered §3 and amended Aug. 7, 1942, ch. 551, §1, 56 Stat. 743.

The word “award” is substituted for the word “present” to cover the determination of the recipient as well as the actual presenting of the decoration. The words “but not in the name of Congress” are omitted as surplusage, since a decoration is presented in the name of Congress only if Congress so directs. The words “Navy or the Marine Corps” are substituted for the words “Navy of the United States” because the provision is interpreted as authorizing the award of the medal to persons serving with the Marine Corps as well as with the Navy. The words “since the sixth day of April 1917 has distinguished” are omitted as executed. The words “United States” are substituted for the word “Government” for uniformity.

Editorial Notes

PRIOR PROVISIONS

A prior section 8293, act Aug. 10, 1956, ch. 1041, 70A Stat. 509, provided that no person in civil life be originally appointed as a chaplain in Regular Air Force unless he has passed an examination prescribed by President as to his moral, mental, and physical qualifications, prior to repeal by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 532 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6243 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.

§ 8294. Silver star medal

The President may award a silver star medal of appropriate design, with ribbons and appurtenances, to a person who, while serving in any

capacity with the Navy or Marine Corps, is cited for gallantry in action that does not warrant a medal of honor or Navy cross—

(1) while engaged in an action against an enemy of the United States;

(2) while engaged in military operations involving conflict with an opposing foreign force; or

(3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

(Aug. 10, 1956, ch. 1041, 70A Stat. 389, §6244; Pub. L. 88-77, §2(3), July 25, 1963, 77 Stat. 94; renumbered §8294, 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>
6244	34 U.S.C. 356a.	Feb. 4, 1919, ch. 14, §4; added Aug. 7, 1942, ch. 551, §1, 56 Stat. 743.

The word “award” is substituted for the word “present” to cover the determination of the recipient as well as the actual presenting of the decoration. The words “but not in the name of Congress” are omitted as surplusage, since a decoration is presented in the name of Congress only if the law so directs. The words “Navy or the Marine Corps” are substituted for the words “Navy of the United States” because the provision is interpreted as authorizing the award of the medal to persons serving with the Marine Corps. The words “since December 6, 1941, has distinguished himself” are omitted as executed.

Editorial Notes

PRIOR PROVISIONS

A prior section 8294, acts Aug. 10, 1956, ch. 1041, 70A Stat. 509; Sept. 2, 1958, Pub. L. 85-861, §1(173), 72 Stat. 1518, provided that original appointments in Regular Air Force be made in grades of first lieutenant through colonel for medical and dental officers as Air Force requires, from qualified doctors of medicine, osteopathy, or dentistry who are citizens of the United States and have such other qualifications as Secretary of Air Force prescribes, with specific additional eligibility requirements for a doctor of osteopathy, and that officers so appointed receive service credit for determining grade, position on a promotion list, seniority in grade in Regular Air Force, and eligibility for promotion, prior to repeal by Pub. L. 96-513, title II, §204, Dec. 12, 1980, 94 Stat. 2880, effective Sept. 15, 1981. See section 532 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6244 of this title as this section.

1963—Pub. L. 88-77 enlarged the authority to award a silver star medal, which was limited to those cases in which persons distinguished themselves in action, to permit its award for gallantry while engaged in an action against an enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

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.

§ 8295. Distinguished flying cross

The President may award a distinguished flying cross of appropriate design with accompanying ribbon to any person who, while serving in any capacity with the Navy or the Marine Corps, distinguishes himself by heroism or extraordinary achievement while participating in an aerial flight.

(Aug. 10, 1956, ch. 1041, 70A Stat. 390, §6245; renumbered §8295, Pub. L. 115-232, div. A, title VIII, §807(b)(13), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
6245	34 U.S.C. 364a (1st sentence, less 1st 9 words, and less 2d and 3d sentences).	July 2, 1926, ch. 721, §12 (1st sentence, less 1st 9 words, and less 2d and 3d sentences), 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 decoration. The words “but not in the name of Congress” are omitted as surplusage, since a decoration is presented in the name of Congress only if the law so directs. The proviso of the first sentence of 34 U.S.C. 364a is omitted as executed. The words “Navy or the Marine Corps” are substituted for the words “United States Navy” because the provision is interpreted as authorizing the award of the decoration to persons serving with the Marine Corps as well as with the Navy. The words “and notwithstanding the provisions of section 14 of this Act,” which are not now contained in title 34, are omitted as unnecessary. The words “since the 6th day of April, 1917, has distinguished, or who, after July 2, 1926,” are omitted as executed.

Editorial Notes

PRIOR PROVISIONS

A prior section 8295, acts Aug. 10, 1956, ch. 1041, 70A Stat. 510; Sept. 2, 1958, Pub. L. 85-861, §1(174), 72 Stat. 1519, provided for determination of place on a promotion list of the name of each person who is originally appointed in a commissioned grade in Regular Air Force and whose name is carried on a promotion list, other than persons appointed as medical or dental officers or as an Air Force nurse or medical specialist, 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.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 6245 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.

§ 8296. Navy and Marine Corps Medal

(a) The President may award a medal called the “Navy and Marine Corps Medal” of appropriate design with accompanying ribbon, to-

gether with a rosette or other device to be worn in place thereof—

(1) to any person who, while serving in any capacity with the Navy or the Marine Corps, distinguishes himself by heroism not involving actual conflict with an enemy; or

(2) to any person to whom the Secretary of the Navy, before August 7, 1942, awarded a letter of commendation for heroism, and who applies for that medal, regardless of the date of the act of heroism.

(b) The authority in subsection (a) includes authority to award the medal to a member of the Ready Reserve who was not in a duty status defined in section 101(d) of this title when the member distinguished himself by heroism.

(Aug. 10, 1956, ch. 1041, 70A Stat. 390, §6246; Pub. L. 105-85, div. A, title V, §574(b), Nov. 18, 1997, 111 Stat. 1758; renumbered §8296, Pub. L. 115-232, div. A, title VIII, §807(b)(13), Aug. 13, 2018, 132 Stat. 1836.)

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.

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.

Editorial Notes

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.

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).

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