

§ 2742. Honorable subsequent service as condition to award

No medal of honor, Coast Guard cross, distinguished service medal, silver star medal, distinguished flying cross, Coast Guard medal, or emblem, or insignia in lieu thereof shall be awarded or presented to any individual, or to the representative of any individual, whose entire service subsequent to the time of the acts resulting in the consideration of such award shall not in the opinion of the Commandant have been honorable.

(Aug. 4, 1949, ch. 393, 63 Stat. 536, §497; Aug. 10, 1956, ch. 1041, §13, 70A Stat. 624; Pub. L. 111-281, title II, §224(c)(3), Oct. 15, 2010, 124 Stat. 2922; renumbered §2742, Pub. L. 115-282, title I, §116(b), Dec. 4, 2018, 132 Stat. 4226; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8506(g), Jan. 1, 2021, 134 Stat. 4752.)

HISTORICAL AND REVISION NOTES

This section makes honorable service subsequent to the act for which award is made, a condition precedent to granting the award. The Navy has the same statutory condition (see title 34, U.S.C., 1946 ed., §362). 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 substituted “of the acts resulting in the consideration of such award” for “he distinguished himself”.

2018—Pub. L. 115-282 renumbered section 497 of this title as this section.

2010—Pub. L. 111-281 substituted “Coast Guard cross, distinguished service medal, silver star medal, distinguished flying cross,” for “distinguished service medal, distinguished flying cross.”

1956—Act Aug. 10, 1956, included the distinguished flying cross.

§ 2743. Posthumous awards

In case an individual who dies before the making of any award to which such individual may be entitled, as authorized in this chapter, the award may be made and presented within five years from the date of the act or service justifying the award to such next of kin as may have been designated by the individual, or in the absence of such designation, or if the designated individual is not alive at the time of the award, or the relationship between such individual and the serviceman shall have been terminated before his death, then to such representative as the President designates. In the event of a posthumous award when the award will be made to the parents of the deceased and the parents have been divorced or separated, a duplicate award may be made to each parent.

(Aug. 4, 1949, ch. 393, 63 Stat. 536, §498; renumbered §2743, Pub. L. 115-282, title I, §116(b), Dec. 4, 2018, 132 Stat. 4226; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §§8505(a)(35), 8506(h), Jan. 1, 2021, 134 Stat. 4749, 4752.)

HISTORICAL AND REVISION NOTES

This section sets forth the conditions under which posthumous awards can be made. It is substantially the same as conditions for the Navy, but has the added provision for duplicate awards in case the parents are di-

vorced or separated (see title 34, U.S.C., 1946 ed., §363). 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, §8506(h), struck out “distinguishes himself” before “dies” and substituted “such individual” for “he”.

Pub. L. 116-283, §8505(a)(35), substituted “designated individual” for “designated person” and “individual and” for “person and”.

2018—Pub. L. 115-282 renumbered section 498 of this title as this section.

§ 2744. Life-saving medals

(a) The Secretary may, under regulations prescribed by him, award a Life-saving medal of gold or silver to any individual, including personnel of the Coast Guard, who rescues or endeavors to rescue any other individual from drowning, shipwreck, or other peril of the water in accordance with the following provisions:

(1) if such rescue or attempted rescue is made at the risk of one's own life and evidences extreme and heroic daring, the medal shall be of gold;

(2) if such rescue or attempted rescue is not sufficiently distinguished to deserve the medal of gold, but evidences the exercise of such signal exertion as to merit recognition, the medal shall be of silver.

(b) In order for an individual to be eligible for the Life-saving Medals the rescue or attempted rescue must take place in waters within the United States or subject to the jurisdiction thereof, or if the rescue or attempted rescue takes place outside such waters, one or the other of the parties must be a citizen of the United States or from a vessel or aircraft owned or operated by citizens of the United States.

(c) No individual shall receive more than one gold medal and one silver medal; but any individual who has received or may hereafter receive a gold or silver medal and who again performs an act which would entitle him to receive another medal of the same class may be awarded, in lieu of a second medal of the same class, a gold or silver bar, as the case may be, to be worn with the medal already bestowed, and for every such additional act, an additional bar may be awarded. Medals and bars in lieu thereof, authorized by this subsection, may be awarded posthumously.

(Aug. 4, 1949, ch. 393, 63 Stat. 536, §500; Pub. L. 94-546, §1(31), Oct. 18, 1976, 90 Stat. 2521; renumbered §2744, Pub. L. 115-282, title I, §116(b), Dec. 4, 2018, 132 Stat. 4226; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8505(a)(36), Jan. 1, 2021, 134 Stat. 4749.)

HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §§193, 194, 195, 196 (June 20, 1874, ch. 344, §7, 18 Stat. 127; June 18, 1878, ch. 265, §12, 20 Stat. 165; May 4, 1882, ch. 117, §9, 22 Stat. 57; Jan. 21, 1897, ch. 83, 29 Stat. 494).

Said sections have been rewritten so as to make the awarding of Life-saving medals turn on whether or not the United States has an interest in the heroic act, rather than on technical jurisdictional grounds. Under existing law the award of a medal could be made in any case in which the rescuer or the rescued was a citizen