be awarded to be worn with that Medal as prescribed by appropriate regulations of the Department of Defense.

§ 1126. Gold star lapel button: eligibility and distribution

(a) A lapel button, to be known as the gold star lapel button, shall be designed, as approved by the Secretary of Defense, to identify widows, parents, and next of kin of members of the armed forces—

(1) who lost their lives during World War I, World War II, or during any subsequent period of armed hostilities in which the United States was engaged before July 1, 1958;

(2) who lost or lose their lives after June 30, 1958—

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

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

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

(3) who lost or lose their lives after March 28, 1973, as a result of—

(A) an international terrorist attack against the United States or a foreign nation friendly to the United States, recognized as such an attack by the Secretary of Defense; or

(B) military operations while serving outside the United States (including the commonwealths, territories, and possessions of the United States) as part of a peacekeeping force.

(b) Under regulations to be prescribed by the Secretary of Defense, the Secretary concerned, upon application to him, shall furnish one gold star lapel button without cost to the widow and to each parent and next of kin of a member who lost or loses his or her life under any circumstances prescribed in subsection (a).

(c) Not more than one gold star lapel button may be furnished to any one individual except that, when a gold star lapel button furnished under this section has been lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was furnished, the button may be replaced upon application and payment of an amount sufficient to cover the cost of manufacture and distribution.

(d) In this section:

(1) The term “widow” includes widower.

(2) The term “parents” includes mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents who stood in loco parentis.

(3) The term “next of kin” includes only children, brothers, sisters, half brothers, and half sisters.

(4) The term “children” includes step-children and children through adoption.

(5) The term “World War I” includes the period from April 6, 1917, to March 3, 1921.

(6) The term “World War II” includes the period from September 8, 1939, to July 25, 1947, at 12 o’clock noon.

(7) The term “military operations” includes those operations involving members of the armed forces assisting in United States Government sponsored training of military personnel of a foreign nation.

(8) The term “peacekeeping force” includes those personnel assigned to a force engaged in a peacekeeping operation authorized by the United Nations Security Council.


AMENDMENTS

1993—Subsec. (a). Pub. L. 103–160, §1143(a), struck out “of the United States” after “armed forces” in introductory provisions, redesignated cls. (i) to (iii) of par. (2) as subpars. (A) to (C), respectively, and added par. (3).

Subsec. (d)(7), (8). Pub. L. 103–160, §1143(b), added pars. (7) and (8).

1987—Subsec. (d). Pub. L. 100–26 substituted colon for dash at end of introductory provisions, inserted “The term ‘of the United States’ after ‘armed forces’ in introductory provisions, redesignated cls. (i) to (iii) of par. (2) as subpars. (A) to (C), respectively, and added par. (3).


§ 1127. Precedence of the award of the Purple Heart

In prescribing regulations establishing the order of precedence of awards and decorations authorized to be displayed on the uniforms of members of the armed forces, the Secretary of the military department concerned shall accord the Purple Heart a position of precedence, in relation to other awards and decorations authorized to be displayed, not lower than that immediately following the bronze star.


AMENDMENTS

1985—Pub. L. 99–145 substituted “the bronze star” for “the lowest position accorded any award or decoration for valor”.

§ 1128. Prisoner-of-war medal: issue

(a) The Secretary concerned shall issue a prisoner-of-war medal to any person who, while serving in any capacity with the armed forces, was taken prisoner and held captive—

(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;

(3) while serving with friendly forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; or
(4) by foreign armed forces that are hostile to
the United States, under circumstances
which the Secretary concerned finds to have
been comparable to those under which persons
have generally been held captive by enemy
armed forces during periods of armed conflict.

(b) The prisoner-of-war medal shall be of ap-
propriate design, with ribbons and appur-
tenances.

(c) In prescribing regulations establishing the
order of precedence of awards and decorations
authorized to be displayed on the uniforms
of members of the armed forces, the Secretary
concerned shall accord the prisoner-of-war medal a
position of precedence, in relation to other
awards and decorations authorized to be dis-
played—

(1) immediately following decorations
awarded for individual heroism, meritorious
achievement, or meritorious service, and

(2) before any other service medal, campaign
medal, or service ribbon authorized to be dis-
played.

(d) Not more than one prisoner-of-war medal
may be issued to a person. However, for each
succeeding service that would otherwise justify
the issuance of such a medal, the Secretary
concerned may issue a suitable device to be worn as
the Secretary determines.

(e) For a person to be eligible for issuance of
a prisoner-of-war medal, the person's conduct
must have been honorable for the period of cap-
tivity which serves as the basis for the issuance.

(f) If a person dies before the issuance of a
prisoner-of-war medal to which he is entitled,
the medal may be issued to the person's rep-
resentative, as designated by the Secretary con-
cerned.

(g) Under regulations to be prescribed by the
Secretary concerned, a prisoner-of-war medal
that is lost, destroyed, or rendered unfit for use
without fault or neglect on the part of the per-
son to whom it was issued may be replaced with-
out charge.

(h) The Secretary of Defense shall ensure that
regulations prescribed by the Secretaries of the
military departments under this section are uni-
form so far as practicable.

(Added Pub. L. 99–145, title V, § 532(a)(1), Nov. 8,
§ 1073(a)(18), Nov. 18, 1997, 111 Stat. 1901.)

AMENDMENTS

30, 1993,” for “the date of the enactment of this sec-
tion,” and “before such date or” for “before the date
of the enactment of this section or”.

AWARD OF PURPLE HEART TO PERSONS WOUNDED
WHILE HELD AS PRISONERS OF WAR BEFORE APRIL
25, 1962

§ 521, Nov. 24, 2003, 117 Stat. 1478, provided that:

“(a) AWARD OF PURPLE HEART.—For purposes of the
award of the Purple Heart, the Secretary concerned (as
defined in section 101 of title 10, United States Code)
shall treat a former prisoner of war who is wounded on or after
April 25, 1962, while held as a prisoner of war (or
while being taken captive) in the same manner as a former
prisoner of war who is wounded on or after that
date while held as a prisoner of war (or while being
taken captive).

“(b) STANDARDS FOR AWARD.—An award of the Purple
Heart under subsection (a) shall be made in accordance
with the standards in effect on the date of the enact-
ment of this Act [Feb. 10, 1996] for the award of the Pur-
ple Heart to persons wounded on or after April 25, 1962.

“(c) ELIGIBLE FORMER PRISONERS OF WAR.—A person
shall be considered to be a former prisoner of war for
purposes of this section if the person is eligible for the
prisoner-of-war medal under section 1128 of title 10,
United States Code.

“(d) PROCEDURES FOR AWARD.—In determining wheth-
err a former prisoner of war who submits an application
for the award of the Purple Heart under subsection (a)
is eligible for that award, the Secretary concerned
shall apply the following procedures:

“(1) Failure of the applicant to provide any docu-
mentation as required by the Secretary shall not in
itself disqualify the application from being consid-
ered.

“(2) In evaluating the application, the Secretary
shall consider (A) historical information as to the
prison camp or other circumstances in which the ap-
licant was held captive, and (B) the length of time
that the applicant was held captive.

“(3) To the extent that information is readily avail-
able, the Secretary shall assist the applicant in ob-
taining information or identifying the sources of in-
formation referred to in paragraph (2).