

109TH CONGRESS
1ST SESSION

H. R. 4243

To amend title 10, United States Code, to lift certain restrictions on gifts to members of the Armed Forces being treated for illness or injury incurred on active duty.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2005

Mr. EMANUEL (for himself, Mr. EVANS, and Mr. GUTIERREZ) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to lift certain restrictions on gifts to members of the Armed Forces being treated for illness or injury incurred on active duty.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wounded Heroes Gift
5 Fairness Act”.

1 **SEC. 2. CLARIFICATION OF AUTHORITY FOR MEMBERS OF**
2 **THE ARMED FORCES BEING TREATED FOR**
3 **ILLNESS OR INJURY INCURRED ON ACTIVE**
4 **DUTY TO ACCEPT GIFTS FROM CERTAIN**
5 **SOURCES.**

6 (a) IN GENERAL.—

7 (1) ACCEPTANCE OF GIFTS FROM NONPROFITS
8 AND GOVERNMENT AGENCIES.—Chapter 155 of title
9 10, United States Code, is amended by adding at
10 the end the following new section:

11 **“§ 2615. Members being treated for illness or injury:**
12 **authority to accept gifts from certain**
13 **sources**

14 “(a) AUTHORITY.—Subject to regulations prescribed
15 under subsection (b), a member of the armed forces who
16 receives treatment at a military treatment facility for an
17 injury or illness sustained while on active duty, and the
18 family members of such a member, may accept a gift de-
19 scribed in subsection (b) (notwithstanding any otherwise
20 applicable law or regulation restricting the acceptance of
21 gifts) if the gift is provided during the time period during
22 which the member receives such treatment or within 30
23 days after the conclusion of such treatment.

24 “(b) COVERED GIFTS.—This section applies to a gift
25 received from a 501(c)(3) organization or a Federal de-

1 partment or agency or any element of State or local gov-
 2 ernment.

3 “(c) REGULATIONS.—The Secretary of Defense shall
 4 prescribe regulations to carry out this section.

5 “(d) DEFINITION.—In this section, the term
 6 ‘501(c)(3) organization’ means an organization described
 7 in section 501(c)(3) of the Internal Revenue Code of 1986
 8 and exempt from tax under section 501(a) of such Code.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-
 10 tions at the beginning of such chapter is amended
 11 by adding at the end the following new item:

“2615. Members being treated for illness or injury: authority to accept gifts
 from certain sources.”.

12 (b) EFFECTIVE DATE.—Regulations under section
 13 2615 of title 10, United States Code, as added by sub-
 14 section (a), shall be prescribed not later than 30 days after
 15 the date of the enactment of this Act.

