

SEC. 4. Funds to cover the costs of cash awards to members of the armed forces shall be transferred from the account of any executive department or agency which recommends the award to the appropriate account of the Department of Homeland Security or the Department of Defense, as the case may be. When several executive departments or agencies benefit from the adoption or use of the suggestion, invention, or scientific achievement, the amount transferred from each such benefiting department or agency to the Department of Homeland Security or the Department of Defense to cover the proportionate share of the cost of the cash award shall be determined under procedures prescribed by the Office of Personnel Management in accordance with the same guidelines and standards applying to awards to civilian employees.

§ 1124a. Cyber operations-peculiar awards

(a) AUTHORITY.—The Secretary of Defense and the Secretaries of the military departments may authorize the payment of a cash award to, and incur necessary expense for the honorary recognition of, a member of the covered armed forces whose novel actions, invention, or technical achievement enables or ensures operational outcomes in or through cyberspace against threats to national security.

(b) ACTIONS DURING SERVICE.—An award under this section may be paid notwithstanding the member's death, separation, or retirement from the covered armed forces. However, the novel action, invention, or technical achievement forming the basis for the award must have been made while the member was on active duty or in an active reserve status and not otherwise eligible for an award under chapter 45 of title 5.

(c) PAYMENT.—Awards to, and expenses for the honorary recognition of, members of the covered armed forces under this section may be paid from—

(1) the funds or appropriations available to the activity primarily benefiting from the novel action, invention, or technical achievement; or

(2) the several funds or appropriations of the various activities benefiting from the novel action, invention, or technical achievement.

(d) AMOUNTS.—The total amount of the award, or awards, made under this section for a novel action, invention, or technical achievement may not exceed \$2,500, regardless of the number of persons who may be entitled to share therein.

(e) REGULATIONS.—Awards under this section shall be made under regulations to be prescribed by the Secretary of Defense or by the Secretaries of the military departments.

(f) COVERED ARMED FORCES DEFINED.—In this section, the term “covered armed forces” means the Army, Navy, Air Force, Marine Corps, and Space Force.

(Added Pub. L. 117-263, div. A, title XV, §1531, Dec. 23, 2022, 136 Stat. 2900.)

§ 1125. Recognition for accomplishments: award of trophies

The Secretary of Defense may—

(1) award medals, trophies, badges, and similar devices to members, units, or agencies of an armed force under his jurisdiction for excellence in accomplishments or competitions related to that armed force; and

(2) provide badges or buttons in recognition of special service, good conduct, and discharge under conditions other than dishonorable.

(Added Pub. L. 89-529, §1(1), Aug. 11, 1966, 80 Stat. 339.)

Executive Documents

EX. ORD. NO. 11545. DEFENSE DISTINGUISHED SERVICE MEDAL

Ex. Ord. 11545, July 9, 1970, 35 F.R. 11161, as amended by Ex. Ord. No. 14085, §6, Oct. 3, 2022, 87 F.R. 60543, provided:

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Armed Forces of the United States, it is ordered as follows:

SECTION 1. There is hereby established a Defense Distinguished Service Medal, with accompanying ribbons and appurtenances, for award by the Secretary of Defense to a member of the Armed Forces of the United States who performed exceptionally meritorious service in a duty of great responsibility with the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, a specified or unified command, a Defense agency, or such other joint activity as may be designated by the Secretary of Defense.

SEC. 2. The Defense Distinguished Service Medal and appurtenances thereto shall be of appropriate design approved by the Secretary of Defense and shall be awarded under such regulations as the Secretary shall prescribe. These regulations shall place the Defense Distinguished Service Medal in an order of precedence after the Medals of Honor and the Distinguished Service Crosses of the Armed Forces and before the Distinguished Service Medals of the Armed Forces.

SEC. 3. No more than one Defense Distinguished Service Medal shall be awarded to any one person, but for each succeeding exceptionally meritorious period of service justifying such an award, a suitable device may be awarded to be worn with that Medal as prescribed by appropriate regulations of the Department of Defense.

SEC. 4. The Defense Distinguished Service Medal or device may be awarded posthumously and, when so awarded, may be presented to such representative of the deceased as may be deemed appropriate by the Secretary 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 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 each 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 without cost.

(d) In this section:

(1) The term "next of kin" means individuals standing in such relationship to members of the armed forces described in subsection (a) as the Secretaries concerned shall jointly specify in regulations for purposes of this section.

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

(3) The term "World War II" includes the period from September 8, 1939, to July 25, 1947, at 12 o'clock noon.

(4) 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.

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

(Added Pub. L. 89-534, § 1(1), Aug. 11, 1966, 80 Stat. 345, § 1124; renumbered § 1126, Pub. L. 89-718, § 9, Nov. 2, 1966, 80 Stat. 1117; amended Pub. L. 98-94, title XII, § 1268(8), Sept. 24, 1983, 97 Stat. 706; Pub. L. 100-26, § 7(k)(5), Apr. 21, 1987, 101 Stat. 284; Pub. L. 103-160, div. A, title XI, § 1143, Nov. 30, 1993, 107 Stat. 1757; Pub. L. 116-92, div. A, title V, § 581, Dec. 20, 2019, 133 Stat. 1411.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 1 to 3 of act Aug. 1, 1947, ch. 426, 61 Stat. 710, which were classified to sections 182a to 182c of former Title 36, Patriotic Societies and Observances, prior to repeal by Pub. L. 89-534, § 2, Aug. 11, 1966, 80 Stat. 345.

AMENDMENTS

2019—Subsec. (a). Pub. L. 116-92, § 581(a)(1), struck out "widows, parents, and" after "identify" in introductory provisions.

Subsec. (b). Pub. L. 116-92, § 581(a)(2), substituted "each" for "the widow and to each parent and".

Subsec. (c). Pub. L. 116-92, § 581(b), substituted "and without cost" for "and payment of an amount sufficient to cover the cost of manufacture and distribution."

Subsec. (d). Pub. L. 116-92, § 581(a)(3), added par. (1), redesignated pars. (5) to (8) as (2) to (5), respectively, and struck out former pars. (1), (2), (3), and (4) which defined "widow", "parents", "next of kin", and "children", respectively.

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" in each par., and substituted periods for semicolons in pars. (1) to (4) and period for ";" and" in par. (5).

1983—Subsec. (a)(1). Pub. L. 98-94 substituted "who" for "Who".

§ 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.

(Added Pub. L. 98-525, title V, § 553(a), Oct. 19, 1984, 98 Stat. 2532; amended Pub. L. 99-145, title V, § 533, Nov. 8, 1985, 99 Stat. 634.)

Editorial Notes

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; or

(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.

(b) Under uniform regulations prescribed by the Secretary of Defense, the Secretary concerned may issue a prisoner-of-war medal to any person who, while serving in any capacity with the armed forces, was held captive under circumstances not covered by paragraph (1), (2), or (3) of subsection (a), but which the Secretary concerned finds were comparable to those circumstances under which persons have generally been held captive by enemy armed forces during periods of armed conflict.

(c) The prisoner-of-war medal shall be of appropriate design, with ribbons and appurtenances.

(d) In prescribing regulations establishing the order of precedence of awards and decorations