

by the Board of Actuaries under section 1115(a) of this title for the amortization of the original unfunded liability of the Fund.

(2) The amount (including any negative amount) of the Department of Defense contribution for that year as determined by the Secretary of Defense under section 1115(b) of this title.

(3) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 1115(c)(2) of this title for the amortization of any cumulative unfunded liability (or any gain) to the Fund resulting from changes in benefits.

(4) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 1115(c)(3) of this title for the amortization of any cumulative actuarial gain or loss to the Fund resulting from actuarial assumption changes.

(5) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 1115(c)(4) of this title for the amortization of any cumulative actuarial gain or loss to the Fund resulting from actuarial experience.

(c) The Secretary of Defense shall promptly certify the amount determined under subsection (b) each year to the Secretary of the Treasury.

(d) At the same time as the Secretary of Defense makes the certification under subsection (c), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives the information provided to the Secretary of the Treasury under that subsection.

(Added Pub. L. 106-398, §1 [[div. A], title VII, §713(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-182; amended Pub. L. 107-107, div. A, title VII, §711(b)(4), (d), (e)(1), title X, §1048(a)(13), Dec. 28, 2001, 115 Stat. 1165, 1166, 1223; Pub. L. 107-314, div. A, title VII, §704(a), Dec. 2, 2002, 116 Stat. 2584; Pub. L. 108-136, div. A, title VII, §722(b), Nov. 24, 2003, 117 Stat. 1532; Pub. L. 108-375, div. A, title VII, §725(a), Oct. 28, 2004, 118 Stat. 1991.)

#### AMENDMENTS

2004—Pub. L. 108-375 reenacted section catchline without change and amended text generally. Prior to amendment, section related to, in subsec. (a), calculation of the Department of Defense monthly contribution to the Fund, in subsec. (b), separate calculation by a participating uniformed service, in subsec. (c), payments to the Fund at the beginning of each fiscal year by the Secretary of the Treasury, and, in subsec. (d), amounts paid into the Fund under subsec. (a) from the pay of members of the participating uniformed services.

2003—Subsec. (a). Pub. L. 108-136, §722(b)(1), substituted “the amount that, subject to subsection (b),” for “the amount that” in introductory provisions.

Subsecs. (b) to (d). Pub. L. 108-136, §722(b)(2), (3), added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

2002—Subsec. (c). Pub. L. 107-314 substituted “pay of members” for “health care programs”.

2001—Subsec. (a)(1)(A). Pub. L. 107-107, §711(e)(1), substituted “uniformed services retiree health care programs” for “Department of Defense retiree health care programs”.

Subsec. (a)(1)(B). Pub. L. 107-107, §711(b)(4), inserted “under the jurisdiction of the Secretary of Defense” after “uniformed services”.

Subsec. (a)(2)(A). Pub. L. 107-107, §711(e)(1), substituted “uniformed services retiree health care programs” for “Department of Defense retiree health care programs”.

Subsec. (a)(2)(B). Pub. L. 107-107, §1048(a)(13)(A), inserted an opening parenthesis before “other than for training”.

Pub. L. 107-107, §711(b)(4), (d)(1), inserted “under the jurisdiction of the Secretary of Defense” after “uniformed services” and struck out at end “Amounts paid into the Fund under this subsection shall be paid from funds available for the Defense Health Program.”

Subsec. (b)(2)(D). Pub. L. 107-107, §1048(a)(13)(B), substituted “section 1115(c)(4)” for “section 111(c)(4)”.

Subsec. (c). Pub. L. 107-107, §711(d)(2), added subsec. (c).

#### EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-375 effective Oct. 1, 2005, see section 725(d) of Pub. L. 108-375, set out as a note under section 1111 of this title.

#### EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by section 711 of Pub. L. 107-107 effective as if included in the enactment of this chapter by Pub. L. 106-398, see section 711(f) of Pub. L. 107-107, set out as a note under section 1111 of this title.

#### EFFECTIVE DATE

Section effective Oct. 1, 2002, see section 1 [[div. A], title VII, §713(b)(1)] of Pub. L. 106-398, set out as a note under section 1113 of this title.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (d) of this section requiring submittal of annual report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.

#### INAPPLICABILITY TO INDIAN HEALTH SERVICE

Pub. L. 108-7, div. F, title II, Feb. 20, 2003, 117 Stat. 261, provided in part: “That heretofore and hereafter the provisions of 10 U.S.C. 1116 shall not apply to the Indian Health Service”.

#### FIRST YEAR CONTRIBUTIONS

Pub. L. 107-107, div. A, title VII, §711(g), Dec. 28, 2001, 115 Stat. 1167, provided that: “With respect to contributions under section 1116(a) of title 10, United States Code, for the first year that the Department of Defense Medicare-Eligible Retiree Health Care Fund is established under chapter 56 of such title, if the Board of Actuaries is unable to execute its responsibilities with respect to such section, the Secretary of Defense may make contributions under such section using methods and assumptions developed by the Secretary.”

### § 1117. Investment of assets of Fund

The Secretary of the Treasury shall invest such portion of the Fund as is not in the judgment of the Secretary of Defense required to meet current withdrawals. Such investments shall be in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of Defense, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. The income on such investments shall be credited to and form a part of the Fund.

(Added Pub. L. 106-398, §1 [[div. A], title VII, §713(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-184.)

**CHAPTER 57—DECORATIONS AND AWARDS**

- Sec.  
 1121. Legion of Merit: award.  
 1122. Medal for Merit: award.  
 1123. Right to wear badges of military societies.  
 1124. Cash awards for disclosures, suggestions, inventions, and scientific achievements.  
 1125. Recognition for accomplishments: award of trophies.  
 1126. Gold star lapel button: eligibility and distribution.  
 1127. Precedence of the award of the Purple Heart.  
 1128. Prisoner-of-war medal: issue.  
 1129. Purple Heart: members killed or wounded in action by friendly fire.  
 1129a. Purple Heart: members killed or wounded in attacks by foreign terrorist organizations.  
 1130. Consideration of proposals for decorations not previously submitted in timely fashion: procedures for review.  
 1131. Purple Heart: limitation to members of the armed forces.  
 1132. Presentation of decorations: prohibition on entering correctional facilities for presentation to prisoners convicted of serious violent felonies.  
 1133. Bronze Star: limitation on persons eligible to receive.  
 1134. Medal of honor: award to individual interred in Tomb of the Unknowns as representative of casualties of a war.  
 1134a. Medal of honor: Army, Navy, Air Force, and Coast Guard Medal of Honor Roll.  
 1135. Replacement of military decorations.

**AMENDMENTS**

- 2014—Pub. L. 113-291, div. A, title V, § 571(a)(1)(B), Dec. 19, 2014, 128 Stat. 3387, added item 1129a.  
 2013—Pub. L. 113-66, div. A, title V, § 563(a)(2), Dec. 26, 2013, 127 Stat. 767, added item 1134a.  
 2011—Pub. L. 111-383, div. A, title V, § 571(b), Jan. 7, 2011, 124 Stat. 4223, added item 1133 and struck out former item 1133 “Bronze star: limitation to members receiving imminent danger pay”.  
 2008—Pub. L. 110-417, [div. A], title V, § 571(b), Oct. 14, 2008, 122 Stat. 4472, added item 1135.  
 2004—Pub. L. 108-375, div. A, title V, § 561(b), Oct. 28, 2004, 118 Stat. 1918, added item 1134.  
 2003—Pub. L. 108-136, div. A, title X, § 1031(a)(10)(B), Nov. 24, 2003, 117 Stat. 1597, struck out “and recommendation” after “review” in item 1130.  
 2000—Pub. L. 106-398, § 1 [[div. A], title V, § 541(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-114, added item 1133.  
 1998—Pub. L. 105-261, div. A, title V, § 537(b), Oct. 17, 1998, 112 Stat. 2019, added item 1132.  
 1997—Pub. L. 105-85, div. A, title V, § 571(a)(2), Nov. 18, 1997, 111 Stat. 1756, added item 1131.  
 1996—Pub. L. 104-106, div. A, title V, § 526(b), Feb. 10, 1996, 110 Stat. 314, added item 1130.  
 1993—Pub. L. 103-160, div. A, title XI, § 1141(b), Nov. 30, 1993, 107 Stat. 1757, added item 1129.  
 1985—Pub. L. 99-145, title V, § 532(a)(2), title XII, § 1225(a)(2)(B), Nov. 8, 1985, 99 Stat. 634, 730, inserted “disclosures,” and substituted “and” for “or” in item 1124, and added item 1128.  
 1984—Pub. L. 98-525, title V, § 553(b), Oct. 19, 1984, 98 Stat. 2532, added item 1127.  
 1966—Pub. L. 89-718, § 9, Nov. 2, 1966, 80 Stat. 1117, redesignated item 1124, added by Pub. L. 89-534, § 1(2), Aug. 11, 1966, 80 Stat. 345, as 1126.  
 Pub. L. 89-534, § 1(2), Aug. 11, 1966, 80 Stat. 345, added item 1124, relating to eligibility for and distribution of gold star lapel button.  
 Pub. L. 89-529, § 1(2), Aug. 11, 1966, 80 Stat. 339, added item 1125.  
 1965—Pub. L. 89-198, § 1(2), Sept. 22, 1965, 79 Stat. 831, added item 1124, relating to payment of cash awards for members of armed forces for suggestions, inventions, or scientific achievements.

**ATOMIC VETERANS SERVICE CERTIFICATE**

Pub. L. 115-232, div. A, title V, § 581, Aug. 13, 2018, 132 Stat. 1787, provided that:

“(a) SERVICE CERTIFICATE REQUIRED.—The Secretary of Defense shall design and produce a military service certificate, to be known as the ‘Atomic Veterans Service Certificate’, to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

“(b) DISTRIBUTION OF CERTIFICATE.—

“(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Certificate to the veteran.

“(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Certificate to the next-of-kin of the person.”

**AWARD OF MEDALS OR OTHER COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS**

Pub. L. 115-232, div. A, title V, § 582, Aug. 13, 2018, 132 Stat. 1787, provided that:

“(a) PROGRAM OF AWARD REQUIRED.—Each Secretary of a military department shall carry out a program to provide for the award of one or more medals or other commendations to handlers of military working dogs under the jurisdiction of such Secretary to recognize valor or meritorious achievement by such handlers and dogs.

“(b) MEDALS AND COMMENDATIONS.—Any medal or commendation awarded pursuant to a program under subsection (a) shall be of such design, and include such elements, as the Secretary of the military department concerned shall specify. The Secretary concerned may use an existing award to carry out such program.

“(c) PRESENTATION AND ACCEPTANCE.—Any medal or commendation awarded pursuant to a program under subsection (a) may be presented to and accepted by the handler concerned on behalf of the handler and the military working dog concerned.

“(d) REGULATIONS.—Medals and commendations shall be awarded under programs under subsection (a) in accordance with regulations prescribed by the Secretary of Defense for purposes of this section.”

**PROMOTIONAL MATERIALS AND RECOGNITION ITEMS FOR PARTICIPANTS IN OPERATION ENDURING FREEDOM OR OPERATION IRAQI FREEDOM**

Pub. L. 110-116, div. A, title VIII, § 8099, Nov. 13, 2007, 121 Stat. 1337, provided that: “Hereafter, the Secretary of Defense may present promotional materials, including a United States flag, to any member of an Active or Reserve component under the Secretary’s jurisdiction who, as determined by the Secretary, participates in Operation Enduring Freedom or Operation Iraqi Freedom, along with other recognition items in conjunction with any week-long national observation and day of national celebration, if established by Presidential proclamation, for any such members returning from such operations.”

**REPORT ON DEPARTMENT OF DEFENSE PROCESS FOR AWARDING DECORATIONS**

Pub. L. 109-364, div. A, title V, § 557, Oct. 17, 2006, 120 Stat. 2219, provided that:

“(a) REVIEW.—The Secretary of Defense shall conduct a review of the policy, procedures, and processes of the military departments for awarding decorations to members of the Armed Forces.

“(b) TIME PERIODS.—As part of the review under subsection (a), the Secretary shall compare the time frames of the awards process between active duty and reserve components—

“(1) from the time a recommendation for the award of a decoration is submitted until the time the award of the decoration is approved; and

“(2) from the time the award of a decoration is approved until the time when the decoration is presented to the recipient.