

the total amount of the Department of Defense contribution to be made to the Fund for that fiscal year for purposes of section 1116(b)(2).” for “(1) The Secretary of Defense shall determine each year, in sufficient time for inclusion in budget requests for the following fiscal year, the total amount of Department of Defense contributions to be made to the Fund during that fiscal year under section 1116(a) of this title.”, redesignated subpar. (A) as par. (1) and cls. (i) and (ii) as subpars. (A) and (B), respectively, of par. (1), redesignated subpar. (B) as par. (2) and cls. (i) and (ii) as subpars. (A) and (B), respectively, of par. (2), substituted “paragraph (1)(B)” for “subparagraph (A)(ii)” in par. (2)(B), and struck out former par. (2) which read as follows: “The amount determined under paragraph (1) for any fiscal year is the amount needed to be appropriated to the Department of Defense (or to the other executive department having jurisdiction over the participating uniformed service) for that fiscal year for payments to be made to the Fund during that year under section 1116(a) of this title. The President shall include not less than the full amount so determined in the budget transmitted to Congress for that fiscal year under section 1105 of title 31. The President may comment and make recommendations concerning any such amount.”

Subsec. (c)(1). Pub. L. 108-375, §725(c)(4), struck out “and section 1116(a) of this title” after “subsection (b)” in concluding provisions.

Subsec. (c)(5). Pub. L. 108-375, §725(c)(5), substituted “1116” for “1116(c)”.

2003—Subsec. (a). Pub. L. 108-136, §722(c), substituted “section 1116(c) of this title” for “section 1116(b) of this title”.

Subsec. (c)(1). Pub. L. 108-136, §722(a), inserted at end of concluding provisions “The Secretary of Defense may determine a separate single level dollar amount under subparagraph (A) or (B) for any participating uniformed service, if, in the judgment of the Secretary, such a determination would produce a more accurate and appropriate actuarial valuation for that uniformed service.”

Subsec. (c)(1)(B). Pub. L. 108-136, §1045(a)(3), substituted “(other than members)” for “and other than members”.

Subsec. (c)(5). Pub. L. 108-136, §722(c), substituted “section 1116(c) of this title” for “section 1116(b) of this title”.

2001—Subsec. (a). Pub. L. 107-107, §711(b)(3)(A), inserted “participating” before “uniformed services”.

Subsec. (b)(1)(A)(ii), (B)(ii). Pub. L. 107-107, §711(b)(3)(B), inserted “under the jurisdiction of the Secretary of Defense” after “uniformed services”.

Subsec. (b)(2). Pub. L. 107-107, §711(b)(3)(C), inserted “(or to the other executive department having jurisdiction over the participating uniformed service)” after “Department of Defense”.

Subsec. (c)(1)(A), (B). Pub. L. 107-107, §711(b)(3)(D), inserted “participating” before “uniformed services”.

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

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-364 effective with respect to payments under this chapter beginning with fiscal year 2008, see section 592(c) of Pub. L. 109-364, set out as a note under section 1111 of this title.

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 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

Pub. L. 106-398, §1 [[div. A], title VII, §713(b)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-184, provided that: “Sec-

tion 1115 of such title (as added by such subsection) shall take effect on October 1, 2001.”

§ 1116. Payments into the Fund

(a) At the beginning of each fiscal year after September 30, 2005, the Secretary of the Treasury shall promptly pay into the Fund from the General Fund of the Treasury—

(1) the amount certified to the Secretary by the Secretary of Defense under subsection (c), which shall be the contribution to the Fund for that fiscal year required by section 1115; and

(2) the amount determined by each administering Secretary under section 1111(c) as the contribution to the Fund on behalf of the members of the uniformed services under the jurisdiction of that Secretary.

(b) At the beginning of each fiscal year, the Secretary of Defense shall determine the sum of the following:

(1) The amount of the payment for that year under the amortization schedule determined 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 estab-

lished 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.
1136.	Honorable service requirement for award of military decorations.

AMENDMENTS

2019—Pub. L. 116-92, div. A, title V, §582(a)(2), Dec. 20, 2019, 133 Stat. 1412, added item 1136.

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.