

111TH CONGRESS
2^D SESSION

H. R. 5333

To amend title 10, United States Code, to recognize the dependent children of members of the Armed Forces who are serving on active duty or who have served on active duty through the presentation of an official lapel button.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2010

Mr. LATTA (for himself, Mr. WILSON of South Carolina, Mr. FOSTER, Mr. TURNER, Mr. ROGERS of Alabama, Mr. OWENS, Mr. LAMBORN, Mr. BISHOP of Georgia, Mrs. MCMORRIS RODGERS, Mr. CARTER, and Mr. RYAN of Ohio) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to recognize the dependent children of members of the Armed Forces who are serving on active duty or who have served on active duty through the presentation of an official lapel button.

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 “Children of Military
5 Service Members Commemorative Lapel Pin Act”.

1 **SEC. 2. DEPARTMENT OF DEFENSE RECOGNITION OF DE-**
2 **PENDENT CHILDREN OF MEMBERS OF THE**
3 **ARMED FORCES.**

4 (a) ESTABLISHMENT AND PRESENTATION OF LAPEL
5 BUTTON.—Chapter 57 of title 10, United States Code, is
6 amended by inserting after section 1126 the following new
7 section:

8 **“§ 1126a. Children of military service members com-**
9 **memorative lapel button: eligibility and**
10 **presentation**

11 “(a) DESIGN AND ELIGIBILITY.—A lapel button, to
12 be known as the children of military service members com-
13 memorative lapel button, shall be designed, as approved
14 by the Secretary of Defense, to identify and recognize an
15 eligible child dependent of a member of the armed forces
16 who serves on active duty for a period of more than 30
17 days.

18 “(b) APPLICATION AND PRESENTATION.—The Sec-
19 retary of Defense shall establish an application process by
20 which a member referred to in subsection (a) can request
21 a children of military service members commemorative
22 lapel button for the member’s eligible child dependents.
23 Upon processing of the application and payment of the
24 fee required by subsection (c), the Secretary concerned
25 shall present a children of military service members com-

1 memorative lapel button to eligible child dependents of a
2 member.

3 “(c) COST.—Presentation of a children of military
4 service members commemorative lapel button is condi-
5 tioned upon the payment of an amount sufficient to cover
6 the cost of manufacture and distribution of the lapel but-
7 ton.

8 “(d) LIMITATION ON NUMBER OF BUTTONS.—(1)
9 Not more than one children of military service members
10 commemorative lapel button may be presented to an eligi-
11 ble child dependent of a member, regardless of the number
12 of times the member serves on active duty.

13 “(2) Notwithstanding paragraph (1), if a person is
14 an eligible child dependent of more than one member, the
15 eligible child dependent may receive a children of military
16 service members commemorative lapel button on behalf of
17 each member of whom the person is a dependent.

18 “(3) Notwithstanding paragraph (1), if a children of
19 military service members commemorative lapel button pre-
20 sented under this section has been lost, destroyed, or ren-
21 dered unfit for use without fault or neglect on the part
22 of the eligible child dependent to whom it was furnished,
23 the Secretary concerned may replace the lapel button upon
24 application and payment of an amount sufficient to cover
25 the cost of manufacture and presentation.

1 “(e) ELIGIBLE CHILD DEPENDENT DEFINED.—The
2 term ‘eligible child dependent’ means a dependent of a
3 member of the armed forces described in subparagraph
4 (D) or (I) of section 1072(2) of this title.

5 “(f) REGULATIONS.—The Secretary of Defense shall
6 issue such regulations as may be necessary to carry out
7 this section. The Secretary shall ensure that the regula-
8 tions are uniform for each armed force to the extent prac-
9 ticable.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such chapter is amended by inserting
12 after the item relating to section 1126 the following new
13 item:

“1126a. Children of military service members commemorative lapel button: eligi-
bility and presentation.”.

14 (c) SENSE OF CONGRESS ON EXPEDITED IMPLEMEN-
15 TATION.—It is the sense of Congress that the Secretary
16 of Defense should take appropriate actions to expedite—

17 (1) the design and manufacture of the children
18 of military service members commemorative lapel
19 button authorized by section 1126a of title 10,
20 United States Code, as added by subsection (a); and

21 (2) the establishment and implementation of
22 mechanisms to facilitate the issuance of the children
23 of military service members commemorative lapel
24 button.

1 (d) RETROACTIVE AVAILABILITY OF CHILDREN OF
2 MILITARY SERVICE MEMBERS COMMEMORATIVE LAPEL
3 BUTTON.—

4 (1) AVAILABILITY.—The Secretary of Defense
5 shall make the children of military service members
6 commemorative lapel button authorized by section
7 1126a of title 10, United States Code, as added by
8 subsection (a), available to any person who can
9 prove to the satisfaction of the Secretary that the
10 person satisfied, at any time before the date of the
11 enactment of this Act, the definition contained in
12 subsection (e) of such section 1126a of eligible child
13 dependent of a member of the Armed Forces who
14 served on active duty for a period of more than 30
15 days.

16 (2) APPLICATION PROCESS.—The Secretary of
17 Defense shall provide a mechanism by which a per-
18 son eligible under paragraph (1), or a person acting
19 on behalf of the person, may apply to the Secretary
20 of Defense for a children of military service mem-
21 bers commemorative lapel button.

22 (3) NOTIFICATION OF CERTAIN MEMBERS.—
23 The Secretary of Defense shall notify members of
24 the Armed Forces who served on active duty for a
25 period of more than 30 days since September 11,

1 2001, of the availability of the children of military
2 service members commemorative lapel button under
3 this subsection. To the extent practicable, such no-
4 tice shall be provided not later than 60 days after
5 the date of the enactment of this Act.

6 (4) DEADLINE FOR APPLICATION.—Applica-
7 tions for a children of military service members com-
8 memorative lapel button under this subsection must
9 be submitted to the Secretary of Defense not later
10 than one year after the date on which the Secretary
11 first announces, in the Federal Register and by such
12 other means as the Secretary considers appropriate,
13 the availability of the lapel button.

14 (5) COSTS, LIMITATIONS, AND EXCEPTIONS.—
15 Subsections (c) and (d) of section 1126a of title 10,
16 United States Code, shall apply with respect to the
17 presentation of a children of military service mem-
18 bers commemorative lapel button under this sub-
19 section.

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