



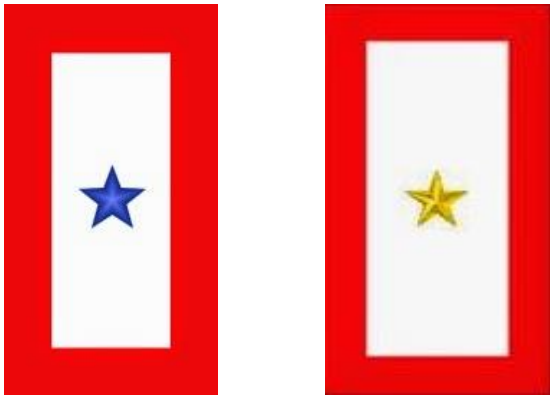
May 3, 2019

## Defense Primer: Gold Star Designation

### Background

During the years of U.S. participation in World War I (WWI, 1917-1918), a service banner with a blue star was flown by some families to represent each family member in military service. The white field, edged with red, holds up to five stars. See **Figure 1**. This flag was conceived by Army Captain Robert L. Queisser during WWI to honor his sons' military service. A practice developed that when a servicemember was killed in action (KIA), the blue star with replaced with a gold one.

**Figure 1. Blue and Gold Star Service Banners (Flags)**



**Source:** Veterans of Foreign Wars (VFW) Auxiliary Programs at <http://vfwauxiliaryprograms.blogspot.com/2014/12/americanism-what-do-gold-star-blue-star.html>.

In May 1918, President Woodrow Wilson approved the recommendation by the Women's Committee of the Council for National Defense that American women should wear a black band on the upper left arm, affixed with a gold star to signify the loss of a family member during the war. Wilson was the first to use of the term "Gold Star Mothers" in his letter to the Women's Committee. The designation of "Gold Star" refers to those who suffered the loss of an immediate family member killed in in combat (i.e., Gold Star Wife/Spouse, etc.). This recognition continues.

### Gold Star Lapel Button

The Gold Star Lapel Button (also called the Gold Star Pin) was designed and created in 1947 for certain family members of those who died in combat in World War II. The Gold Star Lapel Button is a gold star on a field of purple surrounded by laurel leaves. See **Figure 2**. According to 10 U.S. Code § 1126(a), "the military departments shall provide a Gold Star Lapel Button to each of the immediate family members of servicemembers who lost their lives while engaged in an action against an enemy of the United States, while engaged in military operations involving

conflict with an opposing foreign force, while serving with friendly forces engaged in an armed conflict in which the United States is not a belligerent party against an opposing armed force, as the result of an international terrorist attack against the United States or a foreign nation friendly to the United States or as the result of military operations while serving outside the United States as part of a peacekeeping force."

Families of those servicemembers who died by suicide or from a medical emergency outside deployment are not, by law, Gold Star family members but may qualify for the Next of Kin Lapel Button.

According to 10 USC § 1126(d), "the Gold Star Lapel Button shall be distributed to the widow or widower (remarried or not), each parent (mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents); each child, each brother, each sister, each half-brother, each half-sister, each stepchild, and each adopted child of the servicemember."

### Next of Kin Lapel Button

Approved in 1973, the Next of Kin Lapel Button (also referred to as the Next of Kin Pin) is provided to the families of servicemembers who lost their lives while serving on active duty or while serving in a drill status as a member of the National Guard or Reserves but not KIA. The Next of Kin Lapel Button is gold, with a star within a circle of sprigs of oak. According to the Department of Defense (DOD), *A Survivor's Guide to Benefits*, "The star within the circle commemorates honorable service and the sprigs of oak refer to the Army, Marine Corps, Navy and Air Force."

**Figure 2. Gold Star Lapel Button (left) and Next of Kin Lapel Button (right)**



**Source:** Tragedy Assistance Program for Survivors (TAPS) at <https://www.taps.org/articles/15-2/goldstarpins>.

### Gold Star Military Benefits

After the death of a servicemember on active duty, a casualty assistance officer is assigned by the respective military department to assist any surviving spouse,

child(ren), or other designated beneficiaries, with all eligible benefits and entitlements. These generally include the following:

- \$100,000 tax-exempt, lump sum, DOD death gratuity paid to designated beneficiaries.
- Burial assistance including the disposition of remains and travel to the burial site for the servicemember's immediate family.
- Any unpaid pay and allowances at the time of death.
- Basic Allowance for Housing (BAH).
- Access to commissaries and exchanges.
- Medical and TRICARE benefits.
- Up to \$400,000 non-taxable Servicemembers' Group Life Insurance (SGLI) payment.
- One or more survivor benefit annuities (DOD Survivor Benefit Plan, and/or the Department of Veterans Affairs Dependency and Indemnity Compensation; receipt of more than one annuity may require offsets between the annuities).

Each benefit described above has unique eligibility criteria. Survivors may, or may not, qualify for a given benefit based on their unique circumstances. For details on who qualifies for a given benefit, see DOD's *A Survivor's Guide to Benefits*; VA Benefits for Veterans' Spouses, Dependents, and Survivors site; and CRS Report R45325, *Military Survivor Benefit Plan: Background and Issues for Congress*, by Kristy N. Kamarck and Barbara Salazar Torreon.

## Selected Legislation

**Gold Star Mothers and Widows Pilgrimage.** An Act to enable the mothers and widows of deceased American servicemembers interred in European cemeteries to make a pilgrimage to these cemeteries. Mar. 2, 1929, Public Law 70-952, 45 Stat. 1508.

**Gold Star Mother's Day.** Designating the last Sunday in September as "Gold Star Mother's Day," and for other purposes. June 23, 1936, Pub. Res. 123, 49 Stat. 1895.

**Gold Star Lapel Button.** To provide appropriate lapel buttons for widows, parents, and next of kin of members of the armed forces who lost their lives in the U.S. armed services. Aug. 1, 1947, P.L. 80-306, 61 Stat. 710.

**Gold Star Lapel Button and the Cold War.** To amend Title 10, United States Code, to provide gold star lapel buttons for the next of kin of members of the armed forces who lost or lose their lives in war or as a result of cold war incidents. Aug. 11, 1966, P.L. 89-534, § 1 (1), 80 Stat. 345.

**Gold Star Wives, Inc.** To incorporate the Gold Star Wives of America. Dec. 4, 1980, P.L. 96-497, § 14, 94 Stat. 2597.

**American Gold Star Mothers, Inc.** To recognize the organization known as the American Gold Star Mothers, Incorporated. June 12, 1984, P.L. 98-314, 98 Stat. 237.

**National Defense Authorization Act (NDAA) for FY1994, Section 1143.** Provides for the award of Gold Star lapel buttons to survivors of military personnel killed by terrorist acts. Nov. 30, 1993, P.L. 103-160, div. A, Title XI, §1143, 107 Stat. 1757.

**Gold Star Mother's Day Observation.** The President is requested to issue a proclamation calling on United States Government officials to display the flag of the United

States on all government buildings on Gold Star Mother's Day. Aug. 12, 1998, P.L. 105-225, § 111, 112 Stat. 1292.

**NDAA for FY2006, Section 562.** Policy and Procedures on Casualty Assistance to Survivors of Military Decedents. P.L. 109-163, div. A, Title V, §562, Jan. 6, 2006, 119 Stat. 3267, as amended by P.L. 109-364, div. A, Title V, §566, Oct. 17, 2006, 120 Stat. 2223.

**NDAA for FY2013, Section 2859.** Establishment of a national monument to Gold Star Mothers in Washington, DC. Jan. 3, 2013, P.L. 112-239, § 2859, 126 Stat. 2164. For more information, see CRS Report R43744, *Monuments and Memorials Authorized Under the Commemorative Works Act in the District of Columbia: Current Development of In-Progress and Lapsed Works*, by Jacob R. Straus.

**NDAA for FY2014, Section 633.** Improved assistance for Gold Star spouses and other dependents. Requires each secretary of a military department to designate a specific member to assist spouses and dependents of servicemembers, including Reserve Components, who die on active duty. Dec. 26, 2013, P.L. 113-66, § 633, 127 Stat. 693.

**Gold Star Fathers Act of 2015 (Derived Veterans' Preference for Parents).** To amend chapter 21 of Title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service. Oct. 7, 2015, P.L. 114-62, 129 Stat 547.

**Gold Star Families Voices Act.** To amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war. Nov. 28, 2016, P.L. 114-246, 130 Stat. 995.

### Relevant Statutes

Title 10 U.S. Code, § 1126 - Gold star lapel button: eligibility and distribution.

Title 10 U.S. Code § 1475 - Death gratuity: death of members on active duty or inactive duty training.

### Additional Resources

Army Gold Star Survivors at <https://www.army.mil/goldstar/>

Marine Corps Gold Star Representative at <https://www.hqmc.marines.mil/Agencies/Casualty-MFPC/Long-Term-Assistance-Program/Gold-Star-Representative/>

Navy Gold Star Program at <https://www.navygoldstar.com/>

Air Force Gold Star Program Families Forever at <https://www.afpc.af.mil/Benefits-and-Entitlements/Air-Force-Families-Forever/>

DOD Instruction 1348.36, Gold Star Lapel Button, Service Flag, and Service, December 21, 2016. Available on the DOD Issuances Website at <http://www.dtic.mil/whs/directives>.

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