



# The Purple Heart: Background and Issues for Congress

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## Summary

The Purple Heart is one of the oldest and most recognized American military medals, awarded to service members who were killed or wounded by enemy action. The conflicts of the last decade have greatly increased the number of Purple Hearts awarded to service members.

Current events have spurred new debate on current eligibility criteria for the Purple Heart. Medical conditions such as Post-Traumatic Stress Disorder (PTSD) and shootings on U.S. soil have prompted some to consider changing the eligibility requirements for the Purple Heart, while others believe those changes may cheapen the value of the medal and the sacrifices current recipients have made. In the past, efforts to modify the Purple Heart's eligibility requirements have been contentious, and veterans groups can be very vocal concerning eligibility changes.

While medal requirements are often left to the military and executive branch to decide, Congress is showing increased interest and involvement in Purple Heart eligibility, utilizing its constitutional power "to make rules for the government and regulation of the land and naval forces" (U.S. Constitution, Article I, §8, Clause 14). Several bills were under consideration in the 112<sup>th</sup> Congress that addressed eligibility for the Purple Heart: the 2013 National Defense Authorization Act (H.R. 4310), companion bills to expand Purple Heart eligibility (H.R. 5144 and S. 2885), and the 2011 Stolen Valor Act (H.R. 1775 and S. 1728). None of the proposed language pertaining to the Purple Heart was enacted into law.

Recent debates have raised several questions about the Purple Heart. In some respects, how an event is defined can determine eligibility: is a service member the victim of a crime or a terrorist attack? Conversely, arguing that killed or wounded service members "should" be eligible for the Purple Heart can redefine an event: Is the service member an advisor to a foreign military or a combatant? Are PTSD and other mental health conditions adequate injuries to warrant the Purple Heart? These are questions that Congress might consider if it chooses to act on this issue.

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## Introduction

Requirements for military awards and decorations can change over time. New events and changes in military, political, or social conditions can generate debates over who is eligible for various military awards. These changes tend to be controversial, especially with veterans groups. Congress is considering several pieces of legislation that would change who would be eligible to receive the Purple Heart, and under what conditions.

The wars in Iraq and Afghanistan have greatly increased the number of service members receiving the Purple Heart award, as well as the potential conditions under which they receive the award. Increasingly acknowledged conditions, such as traumatic brain injuries and post-traumatic stress disorder (PTSD), as well as accidents and other events while deployed, bring up new questions as to when a service member deserves a Purple Heart. The 2009 shootings of service members at a recruiting station in Little Rock, AR, and at Fort Hood, TX, have also prompted questions about applying the Purple Heart to terrorist attacks versus criminal acts.

Veterans groups often voice their views when Congress or the President propose making changes to expand eligibility for the Purple Heart. These groups argue, for example, that a service member who acquires PTSD after witnessing the aftermath of a bombing does not always deserve the same recognition as a service member killed or wounded in direct combat.<sup>1</sup> Others point out that these medical conditions can debilitate service members just as much as physical injuries and can have lasting effects on service members' lives. Determining which actions and events make a service member worthy of receiving a Purple Heart, and whether expanding eligibility does a disservice to those who have already earned the award, is perhaps the most controversial element of this issue.

Although Congress has traditionally left many military award requirements to the executive branch, the Constitution does allow Congress to act in this area, and current events have prompted several bills to change eligibility for the Purple Heart.<sup>2</sup> Section 552 of the National Defense Authorization Act for 2013 (H.R. 4310), as well as companion bills H.R. 5144 and S. 2885, proposed awarding the Purple Heart to military personnel killed or wounded in the recent shootings in Little Rock, AR, and at Fort Hood, TX. Under current regulations, these service members are not eligible for Purple Hearts. H.R. 1775 and S. 1728 sought to revisit the 2005 Stolen Valor Act, determined unconstitutional by the Supreme Court, which brought criminal charges against those who lie about military service, including receiving awards such as the Purple Heart. None of the language pertaining to the Purple Heart in these bills was enacted into law.

Congressional offices receive questions about Purple Heart eligibility from constituents, especially when eligibility rules change. The number of these questions is likely to increase as service members return from conflicts around the world and if eligibility requirements are changed. This report will explore the history of the Purple Heart and changes in eligibility over time as well as several current issues facing Congress.

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<sup>1</sup> Barrie Barber, "Purple Hearts for PTSD Debated," *Springfield News-Sun*, June 17, 2012. <http://www.springfieldnewssun.com/news/news/local/purple-hearts-for-ptsd-debated-2/nPgnt/>.

<sup>2</sup> U.S. Constitution, Art. I, §8, clause 14.

## Original Conception

In 1782, George Washington created the Badge of Military Merit to reward “any singularly meritorious action” displayed by a soldier, non-commissioned officer, or officer in the Continental Army.<sup>3</sup> This award was intended to encourage gallantry and fidelity among soldiers.

The Badge of Military Merit was designed as a purple heart of cloth edged with a narrow lace.<sup>4</sup> Records are incomplete and researchers debate how many soldiers received this award, but at least three sergeants from Connecticut are known to have received the award after the American Revolution. However, the Badge of Military Merit fell into disuse shortly after its conception.

## History of the Purple Heart

The Badge of Military Merit was not seriously considered again until General Douglas MacArthur (then Army Chief of Staff) revived the award on February 22, 1932, the 200<sup>th</sup> anniversary of George Washington’s birth.<sup>5</sup>

This award, renamed the “Purple Heart,” was redesigned to its modern appearance: a purple heart-shaped medal with bronze border and George Washington’s coat of arms between two green spray leaves.<sup>6</sup> General MacArthur also redefined the eligibility requirements to those who received Meritorious Service Citation certificates from World War I or those authorized to wear wound chevrons by Army Regulation (AR) 600-15. It was at this point that the Purple Heart became focused on soldiers killed and wounded in combat, rather than “any singularly meritorious act.”

In 1942, President Roosevelt extended the Purple Heart award, which to this point was exclusively an Army award, to Navy, Marine Corps, and Coast Guard members serving in World War II.<sup>7</sup> In 1952, President Truman retroactively awarded Purple Hearts to personnel in the Navy, Marine Corps, and Coast Guard that qualified after April 5, 1917, thus including World War I veterans of all services.<sup>8</sup>

From 1962 until 1998, eligibility for the Purple Hearts was changed on several occasions. President Kennedy authorized Purple Hearts to all service members, and civilians serving with the Armed Forces, who were engaged in armed conflict against an opposing military or hostile foreign force.<sup>9</sup> This expansion was written to permit U.S. service members, and the civilians that accompanied them, who were killed or wounded in Vietnam to receive the Purple Heart, as many

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<sup>3</sup> John C Fitzpatrick, *The Writings of George Washington from the Original Manuscript Sources 1745-1799*, vol. 24 (United States Government Printing Office), p. 488.

<sup>4</sup> *Ibid.*

<sup>5</sup> General Douglas MacArthur, War Department, General Orders No. 3, February 22, 1932.

<sup>6</sup> See **Appendix B**, “The Purple Heart Medal.”

<sup>7</sup> Executive Order 9277, “Award of the Purple Heart to Persons Serving with the Navy, Marine Corps, or Coast Guard of the United States,” 7 *Federal Register* 10125, December 5, 1942.

<sup>8</sup> Executive Order 10409, “Award of the Purple Heart to Persons Serving with the Navy, Marine Corps, or Coast Guard of the United States,” 17 *Federal Register* 10397, November 14, 1952.

<sup>9</sup> Executive Order 11016, “Authorizing Award of the Purple Heart,” 27 *Federal Register* 4139, April 25, 1962.

of those service members were officially considered advisors to the Republic of Vietnam, rather than combatants.<sup>10</sup>

Purple Heart eligibility was expanded again by President Reagan to include military personnel and government civilians killed or wounded in international terrorist attacks after March 28, 1973, or those serving in peacekeeping operations outside of the United States.<sup>11</sup> This expansion was in response to increased terrorist attacks against U.S. service members abroad, namely the Marine Corps Barracks bombing in Beirut, Lebanon, in 1983.<sup>12</sup>

The National Defense Authorization Act for Fiscal Year 1996 expanded eligibility to prisoners of war injured or wounded in captivity prior to 1962, a group of service members previously not covered for Purple Heart eligibility by President Kennedy's executive order.<sup>13</sup> In 1997, President Clinton signed the National Defense Authorization Act for 1998, which limited future awards of the Purple Heart to military personnel.<sup>14</sup> The Purple Heart has since remained a military-only award.

## Current Eligibility

Currently, the Purple Heart is authorized for any member of the U.S. Armed Forces who has been wounded or died from wounds sustained after April 5, 1917, under one of the following conditions:<sup>15</sup>

- 1) in action against an enemy of the United States.
- 2) in action against an opposing armed force of a foreign country in which the U. S. Armed Forces are or have been engaged.
- 3) while serving with friendly foreign forces engaged in armed conflict against an opposing armed force in which the United States is not a belligerent party.
- 4) as a result of an act of any such enemy or opposing armed forces.
- 5) as the result of an act of any hostile foreign force.
- 6) after March 28, 1973, as a result of an international terrorist attack against the United States or a foreign nation friendly to the United States.

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<sup>10</sup> William B Theyer, "The Oldest Military Decoration, the Purple Heart, is Proof Positive that One Has 'Seen the Elephant'," *Supplement*, October 1991, p. 58.

<sup>11</sup> Executive Order 12464, "Award of the Purple Heart," 49 *Federal Register* 7099, February 27, 1984.

<sup>12</sup> Madeline Sapienza, *Peacetime Awards of the Purple Heart in the Post-Vietnam Period*, U.S. Army Center for Military History, Washington D.C., July 1987.

<sup>13</sup> 110 Stat. 186, P.L. 104-106, Feb. 10, 1996.

<sup>14</sup> 111 Stat. 1756, P.L. 105-85, Nov. 18, 1997. Some sources report that this change was prompted by complaints from groups that were upset when President Clinton posthumously awarded a Purple Heart to Commerce Secretary Ron Brown, who was killed in a plane crash while on a government mission to Croatia in 1996. Rick Maze, "New Medal Approved for Civilians," *Army Times*, 2001. <http://www.armytimes.com/legacy/new/0-ARMYPAPER-504279.php>.

<sup>15</sup> Department of Defense, *Manual of Military Decorations and Awards: Vol. 3*, Manual 1348.33, November 23, 2010, pp. 21-23, <http://www.dtic.mil/whs/directives/corres/pdf/134833vol3.pdf>.

7) After March 28, 1973, as a result of military operations while serving outside the territory of the United States as part of a peacekeeping force.

8) a service member who is killed or wounded in action as the result of action by friendly weapon fire while directly engaged in combat, other than as a result of an act of an enemy of the United States, unless (in the case of a wound) the wound is the result of willful misconduct of the member (in accordance with section 1129 of Title 10, United States Code).

9) Before April 25, 1962, while held as a prisoner of war (or while being taken captive) in the same manner as a former prisoner of war who is wounded on or after that date while held as prisoner of war (in accordance with section 521 of Public Law (P.L.) 104-106 Section 521.<sup>16</sup>

A wound qualifying for a Purple Heart must have required treatment, not just examination, by a military medical officer or other medical professional. That treatment must be noted in the service member's medical record. If treatment was given by a medical professional who was not a medical officer, a medical officer has to certify that the injury would have required treatment from a medical officer had one been available.<sup>17</sup>

For deceased service members, the Purple Heart may be given to the representatives of the deceased as the individual Service Secretary considers appropriate.<sup>18</sup>

Service members can be awarded multiple Purple Hearts for separate incidents. The service member receives the Purple Heart medal for the first award. Subsequent awards are indicated with oak leaf clusters or 5/16 inch service stars, depending on the rules of the recipient's service.

## Issues for Congress

Although the decision to award medals and other military decorations traditionally rests with the executive branch, Congress has been expanding its role in this area in recent decades, exercising its constitutional power "to make rules for the government and regulation of the land and naval forces."<sup>19</sup> In both the National Defense Authorization Act of 1996 and the National Defense Authorization Act of 1998, Congress took the lead and adjusted Purple Heart eligibility. In response to current events, Congress is considering several bills that would change the Purple Heart's eligibility requirements again.

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<sup>16</sup> Prisoners of War after December 7, 1941, a service member who has been killed (executed) or who has died (due to living conditions or treatment by the enemy) and maintained honorable character while a prisoner of war, unless evidence shows that the service member's death was not a result of enemy action (such as suicide).

<sup>17</sup> Jim Garamone, "DOD Issues Purple Heart Standards for Brain Injury," *Defense News*, April 28, 2011; Department of Defense, *Manual of Military Decorations and Awards: Vol. 3*, Manual 1348.33, November 23, 2010, pp. 22, <http://www.dtic.mil/whs/directives/corres/pdf/134833vol3.pdf>.

<sup>18</sup> Ibid.

<sup>19</sup> U.S. Constitution, Art. I, §8, clause 14.



## **Awards for Crime Victims and Domestic Terrorism**

On June 1, 2009, a man who was allegedly angry over the killing of Muslims in Iraq and Afghanistan opened fire on two U.S. Army soldiers near a recruiting station in Little Rock, AR, killing one and wounding the other.<sup>20</sup> On November 5, 2009, an Army major opened fire at Ft. Hood, TX, killing 13 and wounding 29, many of them service members. Both men were charged with murder and other crimes.<sup>21</sup>

Federal and local law enforcement authorities considered these acts to be crimes, and the Defense Department reports the Fort Hood shooting as “workplace violence,” not acts perpetrated by an enemy or hostile force.<sup>22</sup> By labeling these shootings criminal acts, those killed or wounded do not qualify for Purple Hearts.<sup>23</sup> However, some believe these acts should be viewed as acts of war or domestic terrorism because they involved Muslim perpetrators angered over U.S. actions in Iraq and Afghanistan.<sup>24</sup> All military killed or wounded in the September 11<sup>th</sup> attacks were awarded Purple Hearts because the perpetrators were not American citizens, making those attacks “international terrorism.”<sup>25</sup> The 2009 shootings currently do not qualify as international terrorism, despite being motivated by an international ideology, because the perpetrators were American citizens.

## **National Defense Authorization Act 2013**

Section 552 of H.R. 4310, the House version of the 2013 National Defense Authorization Act, required that members of the Armed Forces killed or wounded in the Little Rock recruiting station shooting or the Fort Hood shooting be awarded the Purple Heart.<sup>26</sup> This would not have changed the eligibility requirements for the Purple Heart, but grants the award to those specific individuals killed or wounded in those specific shootings.

However, some are opposed to awarding the Purple Heart for an incident that has been deemed “workplace violence” or a crime, not a politico-military event. By making a one-time exception in the regulation, this section arguably sets a precedent for additional one-time exceptions in the future and could make Purple Heart eligibility more subjective, allowing public sentiment to determine what events are worthy of a Purple Heart.

Section 525 of the Senate Committee on Armed Services’ version of the 2013 National Defense Authorization Act (S. 3254; S.Rept. 112-173) ordered a report from the Defense Department

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<sup>20</sup> Steve Barnes and James Dao, “Gunman Kills Soldier Outside Recruiting Station,” *The New York Times*, June 2, 2009. [http://www.nytimes.com/2009/06/02/us/02recruit.html?\\_r=1](http://www.nytimes.com/2009/06/02/us/02recruit.html?_r=1).

<sup>21</sup> “Officials: Fort Hood Shooting Suspect Alive; 12 Dead,” *CNN.com*, November 5, 2009. [http://articles.cnn.com/2009-11-05/us/texas.fort.hood.shootings\\_1\\_gen-robert-cone-nidal-malik-hasan-fort-hood?\\_s=PM:US](http://articles.cnn.com/2009-11-05/us/texas.fort.hood.shootings_1_gen-robert-cone-nidal-malik-hasan-fort-hood?_s=PM:US).

<sup>22</sup> Department of Defense, “The Final Recommendations of the Ft. Hood Follow-in Review,” press release, August 18, 2010, <http://www.defense.gov/news/d20100820FortHoodFollowon.pdf>.

<sup>23</sup> Andrew Tilghman, “No Purple Heart for Victim of Islamic Radical,” *Army Times*, December 15, 2011. <http://www.armytimes.com/news/2011/12/military-no-purple-heart-for-victim-of-islamic-radical-121611w/>.

<sup>24</sup> Sig Christenson, “Some Labeling Hasan Terrorist,” *San Antonio Express-News*, August 13, 2012. [http://www.mysanantonio.com/news/local\\_news/article/Some-labeling-Hasan-terrorist-3783225.php](http://www.mysanantonio.com/news/local_news/article/Some-labeling-Hasan-terrorist-3783225.php).

<sup>25</sup> Rick Maze, “New Medal Approved for Civilians,” *Army Times*, October 2001. <http://www.armytimes.com/legacy/new/0-ARMYPAPER-504279.php>.

<sup>26</sup> H.R. 4310; Rep. Howard P. “Buck” McKeon; March 29, 2012.

(DOD) exploring the feasibility of allowing service members killed or wounded in “terrorist attacks” within the United States to receive the Purple Heart.<sup>27</sup> This DOD report would have provided the Defense Department’s opinion on permanently modifying eligibility to include terrorist attacks “inspired by ideological, political, or religious beliefs that give rise to terrorism.”<sup>28</sup> The Defense Department would have been required to review every death or wounding of a service member or federal government employee since September 11, 2001, that could meet the criteria of a terrorist attack to see if any of those incidents could potentially warrant the award of the Purple Heart.

This legislation did not make any changes to Purple Heart eligibility on its own. Section 525 only asked for a report that could potentially lead to eligibility changes later. However, even if Congress chose to change eligibility to include domestic terrorist acts, additional legislation or an executive order would have to redefine both shootings, and potentially other incidents, as domestic terrorist attacks in order to award Purple Hearts to the service members killed or wounded there.

According to the conference report:

- The House bill contained a provision (§552) that would require the Secretary concerned to award the Purple Heart to members of the armed forces who were killed or wounded in the attacks that occurred at the recruiting station in Little Rock, AR, on June 1, 2009, and at Fort Hood, TX, on November 5, 2009.
- The Senate amendment contained a provision (§525) that would require the Secretary of Defense, in coordination with the service secretaries, to submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 1, 2013, a report on the advisability of modifying the criteria for the award of the Purple Heart to military personnel, and the Defense Medal of Freedom to civilian personnel, who are killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism.
- The conference agreement does not include these provisions.<sup>29</sup>

### **H.R. 5144 and S. 2885**

Congress considered companion bills (H.R. 5144 and S. 2885) that would have immediately expanded Purple Heart eligibility to include domestic terrorism. Current Purple Heart eligibility includes “international terrorism” but does not include domestic terrorism wrought by American citizens. H.R. 5144 and S. 2885 required that Purple Heart eligibility make no distinction between international terrorism and domestic terrorism and permit the awarding of Purple Hearts to service members killed or wounded as a victim of a terrorist attack within the United States, perpetrated by an individual or group “expressing a political, religious, or ideological obligation

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<sup>27</sup> This report would also explore changing requirements for the Secretary of Defense Medal for the Defense of Freedom, a civilian equivalent to the Purple Heart for Defense civilians developed after the September 11<sup>th</sup> Attacks.

<sup>28</sup> S. 3254; Sen. Carl Levin; June 4, 2012.

<sup>29</sup> U.S. Congress, Conference Committee, National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, 112<sup>th</sup> Cong., 2<sup>nd</sup> Sess., December 18, 2012.

to engage in unlawful violence directed against U.S. military operations or foreign policy.<sup>30</sup> These bills directly acknowledged the Fort Hood and Little Rock shootings as terrorist attacks.<sup>31</sup> These bills were also retroactive to January 1, 2009 and instruct the Secretaries of Defense and Homeland Security to investigate every service member killed or wounded in the United States from that date forward, and award Purple Hearts to those determined eligible.

These bills would have changed eligibility criteria to include domestic terrorism and, by defining events such as the Fort Hood and Little Rock shootings as terrorist attacks, the legislation avoids the debate on crime versus terrorism cited in the 2009-2012 cases. It is possible that some of the other incidents the bills alluded to, although not named, could be redefined as terrorist attacks as well.

Neither of these bills was enacted into law.

## **Unearned Medals: the Stolen Valor Act**

The 2005 Stolen Valor Act (120 Stat. 3266-3267; P.L. 109-437) prohibited purchasing, attempting to purchase, soliciting for purchase, mailing, shipping, importing, exporting, producing blank certificates of receipt for, manufacturing, selling, attempting to sell, advertizing for sale, trading, bartering, or exchanging for anything of value any decoration or medal authorized by Congress for the United States Armed Forces without authorization made pursuant to law, including the Purple Heart.<sup>32</sup> The Stolen Valor Act also prohibited making false claims, written or verbal, about receiving military decorations. These acts were considered federal misdemeanors and carried fines and potential jail time.<sup>33</sup>

The 2005 Stolen Valor Act came under scrutiny and was struck down by the 9<sup>th</sup> Circuit Court for First Amendment violations and was declared unconstitutional under the First Amendment by the Supreme Court on June 28, 2012.<sup>34</sup> In a plurality opinion the Supreme Court found that the 2005 Stolen Valor Act violated the freedom of speech clause for punishing all false statements about military service wherever uttered. A plurality of four Justices argued that only certain false statements, that would carry high risk of defined harm to others, are not protected and that false statements about military honors do not carry that risk. Two additional Justices found in a concurrent opinion that the act was too broad and carried too great a risk of suppressing speech that was protected under the First Amendment.<sup>35</sup>

The Stolen Valor Act of 2011 under consideration (H.R. 1775 and S. 1728) was an attempt to refine and narrow the 2005 Stolen Valor Act and resolve the constitutional issues of free speech.<sup>36</sup> H.R. 1775 and S. 1728 would have prohibited individuals from knowingly misrepresenting their

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<sup>30</sup> H.R. 5144; S. 2885

<sup>31</sup> Ibid.

<sup>32</sup> 120 Stat. 3266 and 3267; P.L. 109-437; December 20, 2006.

<sup>33</sup> Ibid.

<sup>34</sup> *United States v. Alvarez*, 132 S. Ct. 2537, 183 L. Ed. 2d 574 (2012).

<sup>35</sup> CRS Report WSLG107, *Supreme Court Strikes Down Stolen Valor Act; Provides Congress with a Path to Amending the Law*, by Kathleen Ann Ruane.

<sup>36</sup> Rep. Joe Heck, "Stolen Valor Act 2011," House Speeches and Inserts, *Congressional Record*, June 29, 2012, p. H4607.

military service, including military medal and decoration awards, with the intent to obtain something of value (such as money, goods, or services). It is this intent to defraud that makes H.R. 1775 and S. 1728 different from the 2005 Stolen Valor Act. Penalties include a fine and/or potential jail time.<sup>37</sup> H.R. 1775 was ordered reported August 1, 2012. On September 13, 2012, it was passed by the House (410-3), and on September 19, 2012, it was received in the Senate. Neither H.R. 1775 nor S. 1728 was passed by the Senate.

## **Traumatic Brain Injuries, Post-Traumatic Stress Disorder, and the Purple Heart**

The large number of veterans returning from Iraq and Afghanistan has forced the Department of Defense (DOD) to reevaluate Purple Heart eligibility for traumatic brain injuries (TBI) and mental conditions such as post-traumatic stress disorder (PTSD).<sup>38</sup> DOD considers some TBIs eligible for the Purple Heart, as many of those injuries can be diagnosed using brain scans and other objective medical tests.<sup>39</sup> However, there is continued debate on the validity of mental conditions, such as PTSD, being a part of the appropriate criteria for the Purple Heart. Congress, as well as various executive agencies and departments, is funding and conducting studies regarding PTSD.<sup>40</sup> The National Alliance on Mental Illness is advocating that the Purple Heart be awarded for psychological wounds including PTSD to eliminate stigma and encourage service members to seek care.<sup>41</sup>

At this time, DOD does not consider service members with PTSD eligible for the Purple Heart. Army Regulation 600-8-22 allows “concussion injuries caused as a result of enemy generated explosions” but specifically disqualifies post-traumatic stress disorders.<sup>42</sup> Army guidance emphasizes “the degree to which the enemy caused the injury” when determining eligibility and places PTSD in a column of non-eligible injuries.<sup>43</sup> The Marine Corps defines PTSD as a “severe combat stress injury” and says that combat stress injuries are “not directly caused by the enemy’s intentional use of an outside force or agent,” and thus do not qualify.<sup>44</sup>

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<sup>37</sup> H.R. 1775; Rep. Joseph J. Heck; May 5, 2011.

<sup>38</sup> The National Institutes of Health classifies PTSD as an anxiety disorder that often occurs after experiencing a traumatic event, such as disaster, assault, abuse, prison, or war. The cause of PTSD is unknown, although psychological, genetic, social, and physical factors are involved. There are also no tests to diagnose PTSD; doctors make the diagnosis based on a medical professional’s judgment of the symptoms. It is unclear why a traumatic event causes PTSD in some people and not in others. *PubMed Health*, updated February 13, 2012. <http://www.ncbi.nlm.nih.gov/pubmedhealth/PMH0001923/>. See CRS Report R41921, *Suicide, PTSD, and Substance Use Among OEF/OIF Veterans Using VA Health Care: Facts and Figures*, by Erin Bagalman.

<sup>39</sup> Jim Garamone, “DOD Issues Purple Heart Standards for Brain Injury,” *Defense.gov*, April 28, 2011. <http://www.defense.gov/news/newsarticle.aspx?id=63723>.

<sup>40</sup> CRS Report R40941, *Traumatic Brain Injury Among Veterans*, by Erin Bagalman.

<sup>41</sup> National Alliance on Mental Illness, *Parity for Patriots: The Mental Health Needs of Military Personnel, Veterans, and their Families*, Arlington, VA, June 2012, p. 6, [http://www.nami.org/Content/NavigationMenu/Inform\\_Yourself/About\\_Public\\_Policy/Policy\\_Reports/ParityforPatriots.pdf](http://www.nami.org/Content/NavigationMenu/Inform_Yourself/About_Public_Policy/Policy_Reports/ParityforPatriots.pdf).

<sup>42</sup> Headquarters, Department of the Army, *Army Regulation 600-8-22*, September 15, 2011, p. 20, [http://www.apd.army.mil/pdffiles/r600\\_8\\_22.pdf](http://www.apd.army.mil/pdffiles/r600_8_22.pdf).

<sup>43</sup> U.S. Army Human Resources Command, *Awards and Decorations Branch Article: Purple Heart*, <https://www.hrc.army.mil/tagd/purple%20heart>.

<sup>44</sup> Manpower Management Division, Manpower and Reserve Affairs, Headquarters Marine Corps, *PURPLE HEART MEDAL-REVISED CRITERIA FOR MILD TRAUMATIC BRAIN INJURY AND UPDATED COORDINATING* (continued...)

Service members are divided on this issue. Some members believe that mental injuries such as PTSD should be eligible for the Purple Heart, while others believe that it would dishonor those who have received Purple Hearts for physical injuries.<sup>45</sup>

Veterans from the Military Order of the Purple Heart and Veterans of Foreign Wars are resistant to accepting PTSD as grounds for eligibility. A representative of The Military Order of the Purple Heart said that allowing PTSD that did not require hospitalization “doesn’t hold true to the true purpose of the Purple Heart.”<sup>46</sup> The national spokesman for the Veterans of Foreign Wars, Joseph E. Davis, said “Medals aren’t awarded for illness or disease, but for ‘achievement and valor.’”<sup>47</sup>

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(...continued)

*INSTRUCTIONS*, MARADMIN 245/11, Quantico, VA, April 2011, <http://www.marines.mil/news/messages/Pages/MARADMIN245-11.aspx/>.

<sup>45</sup> Meg Coyle, “New Efforts to Award Purple Heart to Soldiers with PTSD,” *King 5 News*, July 2, 2012. “Effort to Give Purple Hearts to Vets with PTSD Underway,” *10news.com*, June 29, 2012.

<sup>46</sup> Amanda Wilcox, “Disagreements of Purple Heart for PTSD Vets,” *JD News*, July 2, 2012. <http://www.jdnews.com/articles/purple-106144-medals-disagreements.html>.

<sup>47</sup> Barrie Barber, “Purple Hearts for PTSD Debated,” *Dayton Daily News*, June 9, 2012. <http://www.daytondailynews.com/news/news/local/purple-hearts-for-ptsd-debated-3/nPgwh/>.

## **Appendix A. Timeline of Purple Heart Eligibility**

August 7, 1782: George Washington creates the Badge of Military Merit. Awarded to several Continental soldiers but it quickly falls from use.

February 22, 1932: Army Chief of Staff General Douglas MacArthur revives the Badge of Military Merit as an Army award, renamed “the Purple Heart.” Retroactively awarded to wounded WWI veterans.

December 3, 1942: President Roosevelt expands Purple Heart eligibility to include U.S. Navy, Marine Corps, and Coast Guard. Retroactively awards Purple Hearts to December 6, 1941.

November 12, 1952: President Truman retroactively awards Purple Hearts to U.S. Navy, Marine Corps, and Coast Guard veterans after April 5, 1917.

April 25, 1962: President Kennedy extends eligibility to civilians serving with military forces.

February 23, 1984: President Reagan awards Purple Hearts to those killed and wounded in terrorist attacks after March 28, 1973, or on peacekeeping missions outside the United States.

February 10, 1996: National Defense Authorization Act for FY1997 includes prisoners of war captured prior to April 25, 1962.

November 18, 1997: National Defense Authorization Act for FY1998 limits future Purple Heart awards to members of the Armed Forces.

## Appendix B. The Purple Heart Medal

**Figure B-1. The Purple Heart Medal**



**Source:** <http://www.afpc.af.mil/shared/media/ggallery/hires/AFG-070807-013.jpg>.

## **Appendix C. Staffer Instructions for Medal Requests**

Members of Congress are able to directly request that a Service Secretary consider awarding military decorations to individuals or groups. Upon receiving a request from a Member's office, the Service Secretary concerned will review the proposal for the award or presentation of a decoration (or the upgrading of a decoration).

Based on that review, the Secretary shall determine the merits of approving the award or presentation of the decoration and other necessary determinations. The Secretary shall submit a notice to the requesting Member, the Senate Armed Services Committee, and the House Armed Services Committee with one of the following results:

- (1) The award or presentation of the decoration does not warrant approval on the merits. A statement explaining the Secretary's reason will be included.
- (2) The award or presentation of the decoration warrants approval and a waiver by law of time restrictions prescribed by law is recommended.
- (3) The award or presentation of the decoration warrants approval on the merits and has been approved as an exception to policy.
- (4) The award or presentation of the decoration warrants approval on the merits, but a waiver of the time restrictions prescribed in law is not recommended. A statement explaining the Secretary's reason will be included.

**Source:** CRS Report 95-519, *Medal of Honor: History and Issues*, by David F. Burrelli; compiled from P.L. 104-106, §524, February 10, 1996.

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### **Acknowledgments**

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