

- (2) the Bureau of Land Management of the Department of the Interior;
- (3) the National Park Service of the Department of the Interior;
- (4) the Fish and Wildlife Service of the Department of the Interior;
- (5) the Bureau of Reclamation of the Department of the Interior; and
- (6) the Army Corps of Engineers.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1267.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
702 .....	36:169i–1(a)(2).	Aug. 27, 1986, Pub. L. 99–402, §4(a)(2), 100 Stat. 911.

### § 703. Duties of Federal land management agency

To observe Carl Garner Federal Lands Cleanup Day at the Federal level, each Federal land management agency shall organize, coordinate, and participate with citizen volunteers and State and local authorities in cleaning and providing for the maintenance of Federal public land, recreation areas, and waterways within the jurisdiction of the agency.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1267.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
703 .....	36:169i–1(a)(1).	Aug. 27, 1986, Pub. L. 99–402, §4(a)(1), 100 Stat. 911; Nov. 12, 1996, Pub. L. 104–333, §806, 110 Stat. 4188.

The word “authorities” is substituted for “agencies” for consistency in the revised title and with other titles of the United States Code.

### § 704. Activities

In cooperation with appropriate State and local government authorities, each Federal land management agency shall plan for and carry out activities on Carl Garner Federal Lands Cleanup Day that—

- (1) encourage continuing public and private sector cooperation in preserving the beauty and safety of areas within the jurisdiction of the agency;
- (2) increase citizens’ sense of ownership and community pride in those areas;
- (3) reduce litter on Federal lands, along trails and waterways, and within those areas; and
- (4) maintain and improve trails, recreation areas, waterways, and facilities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1267.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
704 .....	36:169i–1(b).	Aug. 27, 1986, Pub. L. 99–402, §4(b), 100 Stat. 911; Nov. 12, 1996, Pub. L. 104–333, §806, 110 Stat. 4188.

In this section, before clause (1), the word “county” is omitted as unnecessary. The word “authorities” is substituted for “agencies” for consistency in the re-

vised title and with other titles of the United States Code.

## CHAPTER 9—MISCELLANEOUS

Sec.	
901.	Service flag and service lapel button.
902.	National League of Families POW/MIA flag.
903.	Designation of Medal of Honor Flag.
904.	Hostage and Wrongful Detainee flag.

### Editorial Notes

#### AMENDMENTS

2023—Pub. L. 118–31, div. A, title XVIII, §1804(a)(2)(B), Dec. 22, 2023, 137 Stat. 687, added item 904.

2002—Pub. L. 107–248, title VIII, §8143(b)(2), Oct. 23, 2002, 116 Stat. 1570, added item 903.

### § 901. Service flag and service lapel button

(a) INDIVIDUALS ENTITLED TO DISPLAY SERVICE FLAG.—A service flag approved by the Secretary of Defense may be displayed in a window of the place of residence of individuals who are members of the immediate family of an individual serving in the Armed Forces of the United States during any period of war or hostilities in which the Armed Forces of the United States are engaged.

(b) INDIVIDUALS ENTITLED TO DISPLAY SERVICE LAPEL BUTTON.—A service lapel button approved by the Secretary may be worn by members of the immediate family of an individual serving in the Armed Forces of the United States during any period of war or hostilities in which the Armed Forces of the United States are engaged.

(c) LICENSE TO MANUFACTURE AND SELL SERVICE FLAGS AND SERVICE LAPEL BUTTONS.—Any person may apply to the Secretary for a license to manufacture and sell the approved service flag, or the approved service lapel button, or both. Any person that manufactures a service flag or service lapel button without having first obtained a license, or otherwise violates this section is liable to the United States Government for a civil penalty of not more than \$1,000.

(d) REGULATIONS.—The Secretary may prescribe regulations necessary to carry out this section.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1267.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
901(a) .....	36:179.	Oct. 17, 1942, ch. 615, 56 Stat. 796; May 27, 1953, ch. 70, 67 Stat. 35.
901(b) .....	36:180.	
901(c) .....	36:181.	
901(d) .....	36:182.	

In subsection (c), the text of 36:181 (1st sentence) is omitted as executed. The word “Thereafter” is omitted as obsolete. The words “is liable to the United States Government for a civil penalty of” are substituted for “shall, upon conviction thereof, be fined” for consistency in the revised title and with other titles of the United States Code.

### § 902. National League of Families POW/MIA flag

(a) DESIGNATION.—The National League of Families POW/MIA flag is designated as the symbol of our Nation’s concern and commit-

ment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation.

(b) **REQUIRED DISPLAY.**—The POW/MIA flag shall be displayed at the locations specified in subsection (d) of this section on POW/MIA flag display days. The display serves—

(1) as the symbol of the Nation's concern and commitment to achieving the fullest possible accounting of Americans who, having been prisoners of war or missing in action, still remain unaccounted for; and

(2) as the symbol of the Nation's commitment to achieving the fullest possible accounting for Americans who in the future may become prisoners of war, missing in action, or otherwise unaccounted for as a result of hostile action.

(c) **DAYS FOR FLAG DISPLAY.**—For the purposes of this section, POW/MIA flag display days are all days on which the flag of the United States is displayed.

(d) **LOCATIONS FOR FLAG DISPLAY.**—The locations for the display of the POW/MIA flag under subsection (b) of this section are the following:

- (1) The Capitol.
- (2) The White House.
- (3) The World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.
- (4) Each national cemetery.
- (5) The buildings containing the official office of—
  - (A) the Secretary of State;
  - (B) the Secretary of Defense;
  - (C) the Secretary of Veterans Affairs; and
  - (D) the Director of the Selective Service System.

(6) Each major military installation, as designated by the Secretary of Defense.

(7) Each medical center of the Department of Veterans Affairs.

(8) Each United States Postal Service post office.

(e) **COORDINATION WITH OTHER DISPLAY REQUIREMENT.**—Display of the POW/MIA flag at the Capitol pursuant to subsection (d)(1) of this section is in addition to the display of that flag in the Rotunda of the Capitol pursuant to Senate Concurrent Resolution 5 of the 101st Congress, agreed to on February 22, 1989 (103 Stat. 2533).

(f) **DISPLAY TO BE IN A MANNER VISIBLE TO THE PUBLIC.**—Display of the POW/MIA flag pursuant to this section shall be in a manner designed to ensure visibility to the public.

(g) **LIMITATION.**—This section may not be construed or applied so as to require any employee to report to work solely for the purpose of providing for the display of the POW/MIA flag.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1268; Pub. L. 105–354, §1(1), Nov. 3, 1998, 112 Stat. 3238; Pub. L. 107–323, §2(a), (b), Dec. 4, 2002, 116 Stat. 2787; Pub. L. 116–67, §2, Nov. 7, 2019, 133 Stat. 1128.)

#### HISTORICAL AND REVISION NOTES PUB. L. 105–225

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
902(a) .....	36:189.	Aug. 10, 1990, Pub. L. 101–355, §2, 104 Stat. 416.
902(b) .....	36:189 note.	Dec. 5, 1991, Pub. L. 102–190, title X, §1084(a)–(c), (e), 105 Stat. 1482, 1483.
902(c) .....	36:189 note.	Dec. 5, 1991, Pub. L. 102–190, title X, §1084(d), 105 Stat. 1483.

In subsection (b), the text of section 1084(c) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190, 105 Stat. 1483) is omitted as executed.

#### PUB. L. 105–354

This amends section 902 of title 36 to reflect changes made by section 1082 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, Nov. 18, 1997, 111 Stat. 1917, 36 App. U.S.C. 189a).

Section 1082(g) of that Act, which defined “POW/MIA flag” as used in section 1082 by reference to section 2 of Public Law 101–355, is unnecessary because the two provisions are restated together in section 902 of title 36.

Section 1082(h), which required that regulations be prescribed no later than 180 days after enactment of Public Law 105–85, is repealed as executed.

Section 1082(i), which required that the Administrator of GSA procure and distribute POW/MIA flags no later than 30 days after enactment of Public Law 105–85, is repealed as executed.

Section 1082(j), which repealed section 1084 of Public Law 102–190 (previously restated as subsections (b) and (c) of section 902 of title 36), is repealed as executed.

#### Editorial Notes

##### AMENDMENTS

2019—Subsec. (c). Pub. L. 116–67 added subsec. (c) and struck out former subsec. (c) which set out specific days for POW/MIA flag display.

2002—Subsec. (c)(2). Pub. L. 107–323, §2(b), added subpar. (A) and redesignated former subpars. (A) and (B) as (B) and (C), respectively.

Subsec. (d)(3). Pub. L. 107–323, §2(a), substituted “The World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial” for “The Korean War Veterans Memorial and the Vietnam Veterans Memorial”.

1998—Subsecs. (b) to (g). Pub. L. 105–354 added subsecs. (b) to (g) and struck out former subsecs. (b) and (c) which read as follows:

“(b) **DISPLAY.**—The flag shall be displayed—

“(1) at each national cemetery and at the National Vietnam Veterans Memorial each year on Memorial Day and Veterans Day and on any day designated by law as National POW/MIA Recognition Day; and

“(2) on, or on the grounds of, the buildings containing the primary offices of the Secretaries of State, Defense, and Veterans Affairs, and the Director of the Selective Service System on any day designated by law as National POW/MIA Recognition Day.

“(c) **TERMINATION OF FLAG DISPLAY REQUIREMENT.**—Subsection (b) of this section ceases to apply when the President decides that the fullest possible accounting has been made of all members of the Armed Forces and civilian employees of the United States Government who have been identified as prisoners of war or missing in action in Southeast Asia.”

#### Statutory Notes and Related Subsidiaries

##### DISPLAY ON EXISTING FLAGPOLE

Pub. L. 107–323, §2(c), Dec. 4, 2002, 116 Stat. 2788, provided that: “No element of the United States Govern-

ment may construe the amendments made by this section [amending this section] as requiring the acquisition of [sic] erection of a new or additional flagpole for purposes of the display of the POW/MIA flag.”

### § 903. Designation of Medal of Honor Flag

(a) DESIGNATION.—The Secretary of Defense shall design and designate a flag as the Medal of Honor Flag. In selecting the design for the flag, the Secretary shall consider designs submitted by the general public.

(b) PRESENTATION.—The Medal of Honor Flag shall be presented as specified in sections 7285, 8307, and 9285 of title 10 and section 505<sup>1</sup> of title 14.

(Added Pub. L. 107-248, title VIII, §8143(b)(1), Oct. 23, 2002, 116 Stat. 1570; amended Pub. L. 115-232, div. A, title VIII, §809(l)(1), Aug. 13, 2018, 132 Stat. 1843.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 505 of title 14, referred to in subsec. (b), was redesignated section 2734 of title 14 by Pub. L. 115-282, title I, §116(b)(2), Dec. 4, 2018, 132 Stat. 4226, and references to section 505 of title 14 deemed to refer to such redesignated section, see section 123(b)(1) of Pub. L. 115-282, set out as a References to Sections of Title 14 as Redesignated by Pub. L. 115-282 note preceding section 101 of Title 14, Coast Guard.

##### AMENDMENTS

2018—Subsec. (b). Pub. L. 115-232 substituted “sections 7285, 8307, and 9285 of title 10” for “sections 3755, 6257, and 8755 of title 10”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of Title 10, Armed Forces.

##### FINDINGS

Pub. L. 107-248, title VIII, §8143(a), Oct. 23, 2002, 116 Stat. 1570, provided that: “Congress finds that—

“(1) the Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Forces of the United States;

“(2) the Medal of Honor was established by Congress during the Civil War to recognize soldiers who had distinguished themselves by gallantry in action;

“(3) the Medal of Honor was conceived by Senator James Grimes of the State of Iowa in 1861; and

“(4) the Medal of Honor is the Nation’s highest military honor, awarded for acts of personal bravery or self-sacrifice above and beyond the call of duty.”

##### PRESENTATION OF MEDAL OF HONOR FLAG

Pub. L. 107-248, title VIII, §8143(d), Oct. 23, 2002, 116 Stat. 1571, required the President to provide for the expeditious presentation of the Medal of Honor Flag designated under this section to each person awarded the Medal of Honor before Oct. 23, 2002, who was living as of that date.

### § 904. Hostage and Wrongful Detainee flag

(a) DESIGNATION.—The Hostage and Wrongful Detainee flag championed by the Bring Our

Families Home Campaign is designated as the symbol of the commitment of the United States to recognizing, and prioritizing the freedom of, citizens and lawful permanent residents of the United States held as hostages or wrongfully detained abroad.

(b) REQUIRED DISPLAY.—

(1) IN GENERAL.—The Hostage and Wrongful Detainee flag shall be displayed at the locations specified in paragraph (3) on the days specified in paragraph (2).

(2) DAYS SPECIFIED.—The days specified in this paragraph are the following:

(A) U.S. Hostage and Wrongful Detainee Day, March 9.

(B) Flag Day, June 14.

(C) Independence Day, July 4.

(D) Any day on which a citizen or lawful permanent resident of the United States—

(i) returns to the United States from being held hostage or wrongfully detained abroad; or

(ii) dies while being held hostage or wrongfully detained abroad.

(3) LOCATIONS SPECIFIED.—The locations specified in this paragraph are the following:

(A) The Capitol.

(B) The White House.

(C) The buildings containing the official office of—

(i) the Secretary of State; and

(ii) the Secretary of Defense.

(c) DISPLAY TO BE IN A MANNER VISIBLE TO THE PUBLIC.—Display of the Hostage and Wrongful Detainee flag pursuant to this section shall be in a manner designed to ensure visibility to the public.

(d) LIMITATION.—This section may not be construed or applied so as to require any employee to report to work solely for the purpose of providing for the display of the Hostage and Wrongful Detainee flag.

(Added Pub. L. 118-31, div. A, title XVIII, §1804(a)(2)(A), Dec. 22, 2023, 137 Stat. 686.)

#### PART B—UNITED STATES GOVERNMENT ORGANIZATIONS INVOLVED WITH OBSERVANCES AND CEREMONIES

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<sup>1</sup> See References in Text note below.