

ready been proven by steadily declining levels of litter at these sites; and

(9) a national program for cleaning and maintaining Federal lands using volunteers will save millions of tax dollars.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1266.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
701	36:169i note.	Aug. 27, 1986, Pub. L. 99–402, § 2, 100 Stat. 910.

In clause (2), the words “the several” are omitted as unnecessary.

§ 702. Definition

For purposes of this chapter, “Federal land management agency” includes—

- (1) the Forest Service of the Department of Agriculture;
- (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 revised 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.

AMENDMENTS

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.

HISTORICAL AND REVISION NOTES—Continued

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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 commitment 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.—(1) For purposes of this section, POW/MIA flag display days are the following:

- (A) Armed Forces Day, the third Saturday in May.
- (B) Memorial Day, the last Monday in May.
- (C) Flag Day, June 14.
- (D) Independence Day, July 4.
- (E) National POW/MIA Recognition Day.
- (F) Veterans Day, November 11.

(2) In addition to the days specified in paragraph (1) of this subsection, POW/MIA flag display days include—

(A) in the case of display at the World War II Memorial, Korean War Veterans Memorial, and Vietnam Veterans Memorial (required by subsection (d)(3) of this section), any day on which the United States flag is displayed;

(B) in the case of display at medical centers of the Department of Veterans Affairs (required by subsection (d)(7) of this section), any day on which the flag of the United States is displayed; and

(C) in the case of display at United States Postal Service post offices (required by subsection (d)(8) of this section), the last business day before a day specified in paragraph (1) that in any year is not itself a business day.

(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.)

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.